BAHAAR e SHARIAT

The Modern Authority On Hanafi Fiqh

VOL-5

Qadi Sadrush Shariah, Mufti Amjad Ali al-Qaadiri
Translated by Muhammad Afthab Cassim al-Qaadiri



Piety is the Purpose of Fiqh

Bahaar e Shariat

Volume 5

[The Book of Zakaat & Fasting]

Comprising approximately 264 Ahadith & 510 Laws of Fiqh, referenced to Authentic Books of Hadith & Jurisprudence

Compiled By
Sadrush Shariah Hazrat Allama Maulana Mufti
Mohammed Amjad Ali Aazmi Razvi رحمۃ اللہ علیہ

Translated into English through the Blessings of
Ghaus-ul-Waqt Huzoor Mufti-e-Azam Hind رحمۃ اللہ علیہ

By a humble servant of Allah
Muhammad Afthab Cassim al-Qaadiri Razvi Noori

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Author: Qadi Sadrush Shariah al-Qaadiri
Translator: Muhammad Afthab Cassim al- Qaadiri

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Offices
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Tel/Fax: 031 2081045
Email: noori@noori.org
Website: www.noori.org

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DUA BY JANASHEEN HUZOOR MUFTI-E-AZAM HUZOOR TAAJUSH SHARIAH, RAHBAR-E-TAREEQAT ASH SHAYKH MUFTI MOHAMMED AKHTAR RAZA KHAN QAADIRI AZHARI QIBLA

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِيْمِ

Choicest and Countless Blessings upon our Beloved Prophet ﷺ and His Holy Offspring and Companions

I have been told that Maulana Afthab Qasim has translated some volumes of "Bahaar-e-Shariat", the great work of the great scholar Sadrush Shariah, Maulana Allama Amjadi Ali Qaadiri Razavi Aazami.

May Allah accept this work and give him reward for his efforts.



Mohammed Akhtar Raza Qaadiri
29th Sha'baan Al Moazzam 1431 Hijri [Madina Tayyaba]

DUA BY MUMTAZUL FUQAHA JANASAHEEN

HUZOOR SADRUSH SHARIAH, HUZOOR MUHADITH-E-KABEER ALLAMA MUFTI ZIA-UL-MUSTAFA QAADIRI AMJADI QIBLA

بسم اللہ الرحمن الرحیم

الحمد للہ لولیہ والصلوۃ علی نبیہ وعلی الہ واصحابہ المتادبین بادابہ

امابعد

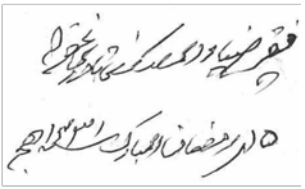
The Kitaab before me, 'Bahaar-e-Shariat' is an exceptionally beautiful English translation. The book consists of a vast number of Shariah Rulings, to solve the issues and needs of people which present themselves in their daily lives. The one who practices and acts upon the Rulings and Laws mentioned in this book will be able to fulfil his necessary requirements and is also able to guard himself in an Islamic mould, and it is this which is the true objective in life.

Hazrat Maulana Afthab Cassim Saaheb deserves to be commended, for the sentiment in his heart to inculcate true Islamic teachings amongst the English speaking Muslims and by doing so; he has fulfilled the debt (i.e. the obligation) of the Ulama. (I pray that) Allah grants his efforts the acceptance and gratitude that it deserves, granting him a generous reward (Aameen). Maulana has compassion and sensitivity in his heart in regards to keeping the Muslim Community established and steadfast. It is for this reason that he is always absorbed in

writing and compiling Deeni books and engrossed in the translation and compilation of numerous reliable Kitaabs, such as 'Kanz ul Imaan' and Bahaar-e-Shariat which he has translated in eloquent English.

He has also published the translations of numerous books in English, allowing them to reach the homes of the English speaking populace, causing the waves of Islam to rise passionately within the hearts of thousands of people.

(I pray that) Allah grants Maulana superb reward and grants him countless blessings in all accomplishments in his age and in his religious affairs, granting him acceptance (Aameen).



Faqeer Zia-ul-Mustafa Qaadiri
15th Ramadaan-ul-Mubaarak 1431 Hijri

DUA BY MUJAHID-E-AHL-E-SUNNAT, HAZRAT ALLAMA SAYED SHAH TURAB-UL-HAQ QAADIRI RAZVI NOORI ALAIHIR RAHMA



I was delighted to hear that the very diverse book 'Bahaar-e-Shariat', by Sadrush Shariah Badrut Tariqah Hazrat Allama Hakeem Muhammad Amjad Ali Aazmi عليه الرحمه has been translated into English by Hazrat Maulana Afthab Cassim Saaheb and is about to be published. Since the mother tongue of the young Faadil is English, this translation will definitely benefit those who read English. Even though the translator has already translated other volumes of Bahaar-e-Shariat but because Volume 16 deals with laws relating to our daily lives and to Islamic Morals and Etiquettes that are beneficial to both the experts and the general masses, it was published first. In translating Bahaar e Shariat, the translator has fulfilled a great need of the English speaking Muslims, especially those in South Africa and in other countries where English is spoken. Hazrat Maulana Muhammad Afthab Cassim Saaheb, has also translated many parts of the world renowned Kanz ul Imaan, the world renowned Translation of the Qur'an by Aala Hazrat Imam Ahmed Raza Khan Muhadith-e-Bareilvi عليه الرحمه. It is my earnest Dua that Almighty Allah accepts these efforts of Maulana, through the blessing of His Beloved Prophet ﷺ rewarding him abundantly with a blessed reward.

آمین ثمہ آمین بجاہ النبی الکریم علیہ وعلیٰ آلہ افضل الصلوۃ والتسلیم

Sayyid Shah Turabul Haq Qaadiri (Alaihir Rahma)
Ameer Jamaát-e-Ahl-e-Sunnat, Pakistan, Karachi

TRANSLATOR'S NOTE

بِسۡمِ اللّٰہِ الرَّحۡمٰنِ الرَّحِیۡمِ

اَلۡحَمۡدُ لِلّٰہِ رَبِّ الۡعَالَمِیۡنَ حَمۡدَ الشَّاکِرِیۡنَ وَالصَّلٰوۃُ وَالسَّلَامُ عَلٰی سَیِّدِ الۡاَنۡبِیَاءِ وَالۡمُرۡسَلِیۡنَ

وَعَلٰی اٰلِہٖ وَاَصۡحَابِہٖ اَجۡمَعِیۡنَ

All Praise is to Allah, Cherisher and Sustainer of the Worlds. Durood and Salaams upon the Leader of the Ambia and Mursaleen ﷺ and upon his Noble Family and Illustrious Companions.

Bahaar-e-Shariat is the distinguished masterpiece of the eminent and celebrated Khalifa of the Mujad'did-e-Deen-o-Mil'lat Aala Hazrat Ash Shah Imam Ahmed Raza Khan Qaadiri رحمۃ اللہ علیہ and the great Faqih of the era, Sadrush Shariah Qadi Hakeem Allama Abul Ulaa Amjad Ali Aazmi Razvi رحمۃ اللہ علیہ. By the Grace of Allah and the Mercy of the Beloved Rasool ﷺ, Volume five of this masterpiece, which deals with the important matters of Zakaat, Fasting, Sadqa and I'tekaaf etc. is now before you.

I must thank Almighty Allah through the Wasila of the Beloved Rasool ﷺ for affording me the opportunity to translate this distinguished work of Huzoor Sadrush Shariah رحمۃ اللہ علیہ. I sincerely pray through the Wasila of Nabi-e-Kareem ﷺ, and through the Karam of Huzoor Ghaus-e-Azam رحمۃ اللہ علیہ, and all our Masha'ikh-e-Kiraam especially Huzoor Sayyidi Aala Hazrat رحمۃ اللہ علیہ, Huzoor Sayyidi Hujjatul Islam رحمۃ اللہ علیہ, Ghaus ul Waqt Huzoor Sayyidi Mufti e Azam Hind رحمۃ اللہ علیہ, and Huzoor Sayyidi Sadrush Shariah رحمۃ اللہ علیہ that Almighty Allah blesses me with the strength to complete the honourable task of finalising and publishing the remaining volumes of Bahaar e Shariat. I have tried to the best of my ability to keep the manner of translation as simple as possible, so that the readers may find this book simple to understand, as the aim of translating a document is so that it is easily understood. However, Huzoor Sadrush Shariah has also mentioned that due to this being a book of Islamic Jurisprudence, one may still need the help of an Aalim to explain the intricate issues mentioned in Bahaar e Shariat. I have attempted to include brief footnotes

wherever possible, to explain important terms, and points that required further explanation. Verses of the Holy Qur'an have also been referenced with the Surah and Ayat number. It must also be noted that all the laws mentioned in this book are in accordance with the Hanafi School of Fiqh. If there is any shortcoming in this book, it should be attributed to the translation and should not be attributed to the eminent author, Sadrush Shariah in any way. Such shortcomings should be brought to our notice so that we may rectify them in future editions.

I must place on record my special thanks and appreciation to Murshid-e-Kaamil Huzoor Sayyidi Taajush Shariah Rahbar e Tariqat Hazrat Allama Mufti Mohammed Akhtar Raza Khan Qaadiri Azhari Qibla and Mumtaz-ul-Fuqaha Huzoor Sayyidi Muhad'dith e Kabeer Allama Zia ul Mustafa Qaadiri Amjadi Qibla for their special Duas and words of encouragement.

I must also thank Shahzada e Taajush Shariah Hazrat Allama Asjad Raza Khan; Shahzada-e-Sadrush Shariah Hazrat Allama Mufti Jamaal Mustafa, son-in-law of Huzoor Muhad'dith e Kabeer Hazrat Allama Mufti Mohammed Shahid Raza, Hazrat Allama Mufti Zahid Hussain Qaadiri Razvi Amjadi, and Hazrat Maulana Muhammad Shakeel Qaadiri Ridawi, and other Ulama e Ahle Sunnat for their continuous support and encouragement. May Allah through the blessing of Rasoolullah ﷺ reward all those who assisted in any way possible in making this publication a success, with a befitting reward. Aameen

I would further like to thank all those who have supported us morally and financially, in the publishing of this book. In doing so, I must attribute this to the Duas of my father Haji Cassim Goolam Rasool and to the Duas and blessings of my beloved mother, Hajiya Sayyidah Khadija Goolam Rasool (Allah exalt her in Jannah). Special thanks to my wife and children for their patience and constant moral support.

Finally, I must once again thank Hazrat Maulana Muhammad Shakeel Qaadiri Ridawi, Brother Muhammad Rukhsar Hussain Qaadiri Amjadi, a devoted student of Deen Brother Ahmed Sabir Suliman Qaadiri Razvi, and my beloved daughter for the lengthy hours they put in to proofread this book before tge launch. Also special thanks to Haji Mohammed Ali Guman for his continuous encouragement and moral support during this task. Allah reward them immensely for their sincere and devoted effort. Aameen.

Sag-e-Mufti-e-Azam

Muhammad Afftiab Cassim al-Qaadiri Razvi Noori

Imam Mustafa Raza Research Centre
Overport, Durban
South Africa

Eve of 15th Sha'baan 1439
1st May 2018

Words of Inspiration

By Hazrat Maulana Mohammed Shakeel Qadiri Ridawi (London, U.K.)

بسم الله الرحمن الرحيم

All praise is due to Allah Almighty, Durood and Salaam upon the Most Beloved, the Most exalted in Allah's creation, Sayyiduna Rasool Allah Sall Allahu Alaihi wasallam.

You are conferred with an English translation of volume 5 of the great encyclopedia of Hanafi Fiqh namely Bahaar e Shariat by Huzur Sadrush Shariah Badr al tariqah Mufti Amjad Ali Qibla Radi Allah Anhu which has been translated tremendously into English by Sheikh Mufti Aftaab Qasim Razawi Sahib.

Nowadays especially throughout the English speaking world, we find Muslims being notably lenient and ignorant towards the rules of zakah and every year we hear innumerable arguments on social media and in our communities regarding moon sightings and announcing the commencement of Ramadaan and the day of Eid. This book discusses all the particular rulings regarding all these matters.

This encyclopedia of fiqh is a highly commended, accepted and world-famous authentic work of Huzoor Sadrush Shariah from which many scholars and students of knowledge alike have benefited.

To spread this benefit to the masses who are unable to read the Urdu language, to spread the knowledge of the pristine Shariah, to make people aware of the laws regarding Fasting, Zakat, Iteqaaf, Moon sightings etc, this book has now been translated into the English language.

Looking at the luminous personalities who before me have added their own blessed words, I am not worthy nor do my words hold any weight, but acting

on al amr fowq al adab I am writing a few words to gain the blessings from these radiant personalities.

I must thank Huzur Mufti Afthaab Qasim Sahib Qibla for granting me the honour of writing in this blessed book whilst also affording me the honour of reading through this glorious manuscript. It is his generosity and humility that he has given me this opportunity to add a comment on his work.

I pray Allah Almighty accepts his efforts and grants him the strength to keep serving the deen and may his efforts be accepted far and wide.

Aameen bijaahi Nabiyil Mursaleen.

Khaakpaaye Imam Ahmad Raza Radi Allahu Anhu

Faqeer Muhammad Shakeel Qaadiri Ridawi

Dedication

In The Love & Honour of
A Sea of Knowledge, Wisdom,
Piety and humility

The Great Imam of Fiqh

Hazrat Nu'man ibn Thaabit
Imam-e-Azam Abu Hanifa رضي الله عنه

I would like to dedicate this translation to
two of the Greatest Imams of Fiqh
Of Our Time

Murshid-e-Barhaq, Huzoor Sayyidi Taajush
Shariah, Rahbar-e-Tariqat Hazrat Allama
Mufti Mohammed Akhtar Raza Khan Qaadiri
Azhari Qibla

&

Mumtaz ul Fuqaha, Huzoor Sayyidi
Muhad'dith-e-Kabeer, Janasheen-e-Sadrush
Shariah Hazrat Allama Zia-ul-Mustafa
Qaadiri Amjadi Qibla

I Have Intended The Esaal e Sawaab of My Humble Effort in Translation To

The Beloved & Loyal Son-inlaw of Huzoor Sayyidi Taajush Shariah, The Loyal Supporter of Huzoor Sayyidi Muhad'dith e Kabeer, A Kind, Pure Hearted & Loving Personality, A Dedicated Aalim e Deen, A Beloved Brother, A True Friend, A Confidante, An Adviser & A Guide

Our Beloved Hazrat Allama Maulana Mufti

Mohamed Shoaib Raza Naeemi Qaadiri Razvi

Alaihir Rahma -15th Ramadaan 1438

&

My Beloved Mother

Sayyidah Khadija Goolam Rasool

11th Zul-Hijjah 1438

Allah Exalt Him & Her and all Marhooms of The Ahle Sunnat with an Exalted Place in Holy Paradise, Granting Them The Special ntercession of Sayyiduna Rasoolullah ﷺ

Aameen Ya Rab'bal Aalameen

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Chapter 1

Zakaat

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VIRTUES OF ZAKAAT IN THE LIGHT OF THE HOLY QUR'AN

Almighty Allah says,

وَمِمَّا رَزَقْنٰهُمْ يُنْفِقُوْنَ ۙ

'And from the sustenance which We have given them,
(They) spend in Our Way.' [Surah Al Baqarah (2), Verse 3]

Almighty Allah says,

خُذْ مِنْ اَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيْهِمْ بِهَا وَصَلِّ عَلَيْهِمْ ؕ
اِنَّ صَلٰوتَكَ سَكَنٌ لَّهُمْ ؕ وَاللّٰهُ سَمِيْعٌ عَلِيْمٌ

'(O Beloved)! Take from their wealth Zakaat (charity), by which you may purify them and cleanse them; and make good Dua for them; undoubtedly, your Dua (prayers) is the tranquillity of their hearts. And Allah is All Hearing, All Knowing.' [Surah Tauba (9), Verse 103]

Almighty Allah says,

وَالَّذِيْنَ هُمْ لِلزَّكٰوةِ فٰعِلُوْنَ

'And those, who duly pay the Zakaat'
[Surah Al Mu'minoon (23), Verse 4]

Almighty Allah says,

وَ مَآ اَنۡفَقۡتُمۡ مِّنۡ شَیۡءٍ فَهُوَ یُخۡلِفُهٗ ۚ وَ هُوَ خَیۡرُ الرّٰزِقِیۡنَ

‘And whatever you spend in the Way of Allah, He will give (you) more in exchange for it; And He is the Greatest Sustainer.’
[Surah Saba (34), Verse 39]

Almighty Allah says,

مَثَلُ الَّذِیۡنَ یُنۡفِقُوۡنَ اَمۡوَالَهُمۡ فِیۡ سَبِیۡلِ اللّٰهِ كَمَثَلِ حَبَّةٍ اَنۡۢبَتَتۡ سَبۡعَ سَنَابِلَ فِیۡ كُلِّ سُنۡۢبُلَةٍ مِّائَةُ حَبَّةٍ ؕ وَ اللّٰهُ یُضٰعِفُ لِمَنۡ یَّشَآءُ ؕ وَ اللّٰهُ وَاسِعٌ عَلِیۡمٌ ﴿۲۶۱﴾ اَلَّذِیۡنَ یُنۡفِقُوۡنَ اَمۡوَالَهُمۡ فِیۡ سَبِیۡلِ اللّٰهِ ثُمَّ لَا یُتۡبِعُوۡنَ مَاۤ اَنۡفَقُوۡا مَنًّا وَّ لَاۤ اَذًی ۙ لَّهُمۡ اَجۡرُهُمۡ عِنۡدَ رَبِّهِمۡ ۚ وَ لَا خَوۡفٌ عَلَیۡهِمۡ وَ لَا هُمۡ یَحۡزَنُوۡنَ ﴿۲۶۲﴾ قَوۡلٌ مَّعۡرُوۡفٌ وَّ مَغۡفِرَةٌ خَیۡرٌ مِّنۡ صَدَقَةٍ یَّتۡبَعُهَاۤ اَذًی ؕ وَ اللّٰهُ غَنِیٌّ حَلِیۡمٌ ﴿۲۶۳﴾

‘An example of those, who spend their wealth in the Way of Allah, is like that seed, from which grew seven shoots, and in every shoot are hundred seeds; And Allah may increase it even more than this, for whomsoever He Wills; And Allah is Most Resourceful, All Knowing. Those who spend their wealth in the Way of Allah, and after spending it, neither do they show favour, nor cause discomfort; their reward is with their Rub; and neither will they face any fear, nor shall they grieve. To speak with kindness and to forgive, is better than that

charity, which is followed by maltreatment; and Allah is All Supreme, Most Forbearing.' [Surah Baqarah (2), Verse 261-263]

Almighty Allah says,

لَنْ تَنَالُوا الْبِرَّ حَتّٰى تُنْفِقُوْا مِمَّا تُحِبُّوْنَ ۬ؕ وَمَا تُنْفِقُوْا مِنْ شَیْءٍ فَاِنَّ اللّٰهَ بِهٖ عَلِیْمٌ ﴿۹۲﴾

'You can never achieve true virtue until you do not spend the things most cherished to you, in the way of Allah; And Allah is (All) Aware of all which you spend.' [Surah Aal e Imraan, Verse 92]

Almighty Allah says,

لَیْسَ الْبِرَّ اَنْ تُوَلُّوْا وُجُوْهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلٰكِنَّ الْبِرَّ مَنْ اٰمَنَ بِاللّٰهِ وَالْیَوْمِ الْاٰخِرِ وَ الْمَلٰٓئِكَةِ وَ الْكِتٰبِ وَ النَّبِیّٖنَ ۚ وَاٰتَی الْمَالَ عَلٰی حُبِّهٖ ذَوِی الْقُرْبٰی وَ الْیَتٰمٰی وَ الْمَسٰكِیْنَ وَ ابْنَ السَّبِیْلِ ۙ وَالسَّآئِلِیْنَ وَ فِی الرِّقَابِ ۚ وَاَقَامَ الصَّلٰوةَ وَاٰتَی الزَّكٰوةَ ۚ وَالْمُوْفُوْنَ بِعَهْدِهِمْ اِذَا عٰهَدُوْا ۚ وَالصّٰبِرِیْنَ فِی الْبَاْسَآءِ وَالضَّرَّآءِ وَحِیْنَ الْبَاْسِ ؕ اُولٰٓئِكَ الَّذِیْنَ صَدَقُوْا ؕ وَ اُولٰٓئِكَ هُمُ الْمُتَّقُوْنَ ﴿۱۷۷﴾

'It is not real virtue, to simply turn (your) faces towards the East or the West. Indeed, real virtue is to bring Imaan (Believe) in Allah, and the Last Day, and in the Angels, and Divine Books, and in the Prophets;

and in the love of Allah, to give your cherished wealth, to (your) relatives, to the orphans and to the destitute, and to the traveller, and to the mendicants; and to free slaves; and to keep Namaaz well established, and to pay Zakaat; and those who keep to their word, when they make a promise; and those who are patient in times of calamity and adversity, and during Holy War; These are those, who have truly kept to their word, and is they who are the (truly) pious.' [Surah Al Baqarah (2), Verse 177]

Almighty Allah says,

وَلَا يَحْسَبَنَّ الَّذِيْنَ يَبْخَلُوْنَ بِمَآ اٰتٰىهُمُ اللّٰهُ مِنْ فَضْلِهٖ هُوَ خَيْرًا لَّهُمْ ؕ
بَلْ هُوَ شَرٌّ لَّهُمْ ؕ سَيُطَوَّقُوْنَ مَا بَخِلُوْا بِهٖ يَوْمَ الْقِيٰمَةِ ؕ

'And those who are miserly in that, which Allah has bestowed upon them by His Grace, should never regard this as good for them; but it is detrimental for them. Soon, that in which they were miserly will become the noose around their necks on the Day of Qiyaamat.' [Surah Aal e Imran (3), Verse 180]

Almighty Allah says,

يٰٓاَيُّهَا الَّذِيْنَ اٰمَنُوْٓا اِنَّ كَثِيْرًا مِّنَ الْاَحْبَارِ وَ الرُّهْبَانِ لَيَاْكُلُوْنَ
اَمْوَالَ النَّاسِ بِالْبَاطِلِ وَيَصُدُّوْنَ عَنْ سَبِيْلِ اللّٰهِ ؕ وَالَّذِيْنَ يَكْنِزُوْنَ
الذَّهَبَ وَالْفِضَّةَ وَلَا يُنْفِقُوْنَهَا فِيْ سَبِيْلِ اللّٰهِ ۙ فَبَشِّرْهُمْ بِعَذَابٍ

اَلِيۡمٍ ۙ﴿۳۴﴾ يَّوۡمَ يُحۡمٰى عَلَيۡهَا فِىۡ نَارِ جَهَنَّمَ فَتُكۡوٰى بِهَا جِبَاهُهُمۡ
وَجُنُوۡبُهُمۡ وَظُهُوۡرُهُمۡ ؕ هٰذَا مَا كَنَزۡتُمۡ لِاَنۡفُسِكُمۡ فَذُوۡقُوۡا
مَا كُنۡتُمۡ تَكۡنِزُوۡنَ ﴿۳۵﴾

‘O you who Believe (i.e. O Believers)! Certainly many rabbis and monks, wrongfully usurp the wealth of the people, and hold them back from the way of Allah; and (as) for those who count and hoard gold and silver, and do not spend it the Way of Allah, give them the suitable news, of an excruciating punishment. The day when it will be (intensely) heated in the fire of hell; Then with it, their foreheads, their sides, and their back backs will be branded. This is what you hoarded for yourselves, (so) now relish the taste of your hoarding.’ [Surah Tauba (9), Verse 34-35]

The importance and excellence of Zakaat can be understood from the numerous verses (injunctions), which have been cited in this discussion.

VIRTUES OF ZAKAAT IN THE LIGHT OF HADITH

There are also many Ahadith which have been narrated concerning Zakaat. Some of them are being quoted below:

HADITH 1 & 2: It is in Sahih Bukhari Shareef from Hazrat Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'To whomsoever Allah gives wealth and he does not discharge its Zakaat, on the day of Qiyaamat, it will appear in the form of a bald headed snake, with two spots on its head. The snake will be placed as a noose around his neck, and it will grab his cheeks and say, 'I am your wealth. I am your treasure.' After this, Rasoolullah ﷺ recited this verse وَلَا يَحْسَبَنَّ الَّذِيْنَ يَبْخَلُوْنَ (until the end of the verse).

A similar narration is reported in Tirmizi, Nasa'i and Ibn Majah from Abdullah ibn Mas'ud ﷺ.

HADITH 3: The narration of Imam Ahmed from Hazrat Abu Hurairah mentions, 'The wealth for which the Zakaat was not discharged will appear on the day of Qiyaamat in the form of a bald-headed snake. It will chase (pursue) its owner and he will flee (from it), until he finally thrusts his fingers into its mouth.'

HADITH 4 & 5: It is in Sahih Muslim Shareef from Hazrat Abu Hurairah ﷺ that Nabi ﷺ said, 'If a person is the owner of gold and silver and if he does not pay its Zakaat, then on the day of Qiyaamat, plates of fire will be prepared for him, and which will be heated in the fire of hell, and his sides, forehead and his back will be branded with it. When it is about to cool down, then the same will be repeated again. This will be the affair of a day, which will last for fifty thousand

years, until judgement will be pronounced amongst the servants. He will now see his path, whether it leads him towards Jannat or it leads him towards Jahannam. Nabi ﷺ was asked about the camels, and He ﷺ said, 'One who does not discharge what is due on him, then on the day of Qiyaamat he will be made to lay down on a huge plain, and all those camels will come forth in a healthy condition, and they will trample over him with their hooves, and bite him with their mouths. When their last herd passes over him, the first will return (to trample over him), and with regards to the cattle and goats.' He ﷺ said, 'Such a person will be made to lay down on an open field, and all of them (i.e. the cattle and goats) will appear. None of them will have twisted horns, none will be without horns and none will have broken horns. They will gore him with their horns, and they will trample on him with their hooves.'

A similar narration is reported in the Sahihain from Hazrat Abu Zarr ﷺ with regards to not paying the Zakaat on camels, cattle and goats.

HADITH 6: It is in Sahih Bukhari from Hazrat Abu Hurairah ﷺ that after Rasoolullah ﷺ when Siddique e Akbar ﷺ became Khalifa, some people in Arabia became kaafir (they rejected Zakaat being Fard). Siddique e Akbar ﷺ commanded Jihad against them. Ameer ul Mo'mineen Farooq e Azam ﷺ said, 'Why are you fighting against them?' Whereas Rasoolullah ﷺ said, 'I have been commanded to fight against the people until they proclaim لَآ اِلٰهَ اِلَّا اللّٰهُ and one who has proclaimed لَآ اِلٰهَ اِلَّا اللّٰهُ has protected his Deen and wealth, and his privileges in Islam and his accountability is with Allah (in other words, he said that what need is there to fight them, whereas they have already proclaimed لَآاِلٰهَاِلَّااللّٰهُ). Siddique e Akbar ﷺ said, 'By Allah, I will make Jihad against those who differentiate between Namaaz and Zakaat (i.e. those who accept Namaaz as Fard and reject Zakaat being

Fard). Zakaat is the due of wealth. By Allah! If they presented a baby goat in the court of Rasoolullah ﷺ and they refuse to give that (now), then I will make Jihad against them for it.' Farooq-e-Azam ﷺ says, 'By Allah! I observed that Almighty Allah had opened the chest of Siddique ﷺ. I thus acknowledged that it is he who is on the path of righteousness.'

HADITH 7: Abu Dawud reported from Hazrat Abdullah ibn Ab'bas رضی الله تعالی عنهما that when this verse وَالَّذِيْنَ يَكْنِزُوْنَ الذَّهَبَ وَالْفِضَّةَ was revealed, the Muslims felt it trying (i.e. they thought that it was Haraam to gather gold and silver, and they felt this would cause them to face many difficulties). Hazrat Farooq-e-Azam ﷺ said, 'I will remove you from this difficult situation.' He then presented himself before the Beloved Rasool ﷺ and said, 'Your companions are looking at this verse as being difficult (to act upon).' He ﷺ said, 'Almighty Allah has made Zakaat Fard, so that your remaining wealth may be purified, and inheritance has been made Fard, so that it may serve those after you (i.e. if to amass wealth was completely Haraam, then Zakaat would not be a means to purify your wealth; and what would Zakaat be Fard on, and from where will inheritance be given? In reality, to amass that wealth on which Zakaat has not been paid is Haraam).' On hearing this, Hazrat Farooq-e-Azam ﷺ proclaimed the Takbeer (aloud).

HADITH 8: Imam Bukhari has reported it in his Taarikh and Imam Shafi'i, Baz'zaz and Baihaqi have reported from Ummul Mo'mineen Siddiqa رضی الله تعالی عنها that Rasoolullah ﷺ said, 'Zakaat will not be mixed in any wealth, without causing it to be destroyed.'

Some of the A'ima have said that the meaning of this Hadith is that, if Zakaat is Waajib upon one and he did not discharge it, but rather he left it mixed with his wealth, then this Haraam will destroy whatever

Halaal he has. Imam Ahmed said the meaning of this is that if a wealthy person (one who is financially stable) accepts Zakaat; it will destroy his wealth, because Zakaat is for the Faqeers (i.e. one deserving Zakaat). Both interpretations of this Hadith are correct.

HADITH 9: Tabrani reported in Awsat from Hazrat Buraidah ﷺ that Rasoolullah ﷺ said, 'Allah will afflict a nation who does not pay its Zakaat, with drought.'

HADITH 10: Tabrani reported in Awsat from Farooq-e-Azam ﷺ that Rasoolullah ﷺ said, 'That wealth which is ruined in dryness and wetness (i.e. on land and water), is ruined due to not discharging Zakaat.'

HADITH 11: It is in Sahihain from Ahnaf bin Qais that Sayyiduna Abu Zarr ﷺ said, 'An intensely hot stone from the fire of hell will be placed on the tip of their breasts (i.e. those who shun Zakaat), which will break through the chest and exit from the shoulder, and it will (then) be placed on the shoulder bone, causing it to break through the bones and exit from the chest.'

It is also mentioned in Sahih Muslim Shareef, that (Hazrat Abu Zarr ﷺ) said. I heard Nabi Kareem ﷺ saying, 'It will break through the backbone and exit from the side, and it will break through the nape and exit from the forehead.'

HADITH 12: Tabrani reported from Ameerul Mo'mineen Hazrat Ali كرم الله وجه الكريم that Nabi Kareem ﷺ said, 'The needy will never face being unclothed or hungry, but at the hands of the wealthy. Hear this! Allah will hold such wealthy people strictly accountable, and He will punish them severely.'

HADITH 13: Tabrani reports from Hazrat Anas ﷺ that Rasoolullah ﷺ said, 'On the day of Qiyaamat, the wealthy will be harmed by the hands of the needy. The needy will say, '(O Allah) they unjustly held back from us in our rightful due (from their wealth) which You made Fard upon them.' Almighty Allah will say, 'By My Honour and Majesty! I will bless you with My closeness and I will keep them distant.'

HADITH 14: Ibn Khuzaimah and Ibn Hib'ban have reported in their Sahih from Hazrat Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'Three people will be the first to enter Hell (i.e. three types of people). From amongst them, one of them will be a wealthy person who did not pay from his wealth, what is due for Allah.'

HADITH 15: Imam Ahmed reported in Musnad reported from Hazrat Am'mara bin Hazm ﷺ that Rasoolullah ﷺ said, 'Almighty Allah has made four (4) things Fard in Islam. The one who fulfils three from amongst them will not have them benefit him, until he does not fulfil all four of them; (they are) Namaaz, Zakaat, Fasting in Ramadaan and Hajj Baitullah.'

HADITH 16: Tabrani has mentioned in Kabeer with the merit of Sahih, that Hazrat Abdullah ibn Mas'ud ﷺ says, 'We have been commanded to perform Namaaz and give Zakaat, and the Namaaz of the one who does not pay his Zakaat, is not accepted.'

HADITH 17: It is in Sahihain, Musnad (Imam) Ahmed and Sunan Tirmizi from Hazrat Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'Giving Sadaqa (Charity) does not lessen your wealth; and if a servant forgives the shortcomings of someone, Allah Almighty will increase his honour; and one who shows humility for the sake of Allah, Allah will exalt him (i.e. grant him Excellence and Respect).'

HADITH 18: It is in Bukhari and Muslim from him (i.e. Hazrat Abu Hurairah ﷺ) that Rasoolullah ﷺ said, 'One who spends on a pair of things in the way of Allah, will be invited from all the doors of Jannat, and there are many doors of Jannat. One who is a Namaazi will be invited from the Door of Namaaz, the one who is from amongst the Ahle Jihad will be invited from the door of Jihad, the one who is from amongst those who gave Sadaqa will be invited from the Door of Sadaqa, and the one who kept fast will be invited from Baab ur Ray'yan (The Door Ar Ray'yan).' Siddique e Akbar ﷺ said, 'There is no real need then for one to be invited from all the Doors (i.e. the objective is entrance into Jannat, and this a person attains by entering any one door of Jannat), but is there anyone who will be invited from all the doors of Jannat?' He ﷺ said, 'Yes, and I have confidence that you will be from amongst them.'

HADITH 19: Bukhari, Muslim, Tirmizi, Nasa'i, Ibn Majah and Ibn Khuzaimah have reported from Hazrat Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One who gives Sadaqa (charity) equal to even a date from his Halaal earnings. And Allah does not accept anything, except that which is from Halaal earnings. Almighty Allah then accepts this (charity) from the right, and Allah nurtures it for its owner, just as one would nurture a baby horse; until that Sadaqa (finally) becomes as high as a mountain.'

HADITH 20 & 21: Nasa'i and Ibn Majah have reported in their Sunan, and Ibn Khuzaimah and ibn Hib'ban have reported in their Sahih, and Haakim reported with the benefit of Sahih from Hazrat Abu Hurairah ﷺ and from Hazrat Abu Sa'eed ﷺ that Rasoolullah ﷺ delivered the Khutbah and said this, 'By Him in Whose Divine Control is my life!' He ﷺ said this thrice. He ﷺ then lowered his head and we all lowered our heads, and He ﷺ then began to weep. We did not

know what He ﷺ had sworn the oath about. Rasoolullah ﷺ then raised his blessed head and there were signs of happiness on his ﷺ holy face, and this was more beloved to us than possessing red camels. He ﷺ then said, 'A servant who performs his Five Namaaz (Salaah), and keeps the fasts of Ramadaan and discharges his Zakaat, and abstains from the seven major sins, the doors of Jannat will be opened for him, and it will be said to him, Enter in peace!'

HADITH 22: Imam Ahmed reported on the authority of trustworthy narrators, from Hazrat Anas bin Malik ﷺ that Rasoolullah ﷺ said, 'Pay the Zakaat from your wealth, as it is a purifier which will purify you; and keep good relations with your relatives, and recognise the rights of your neighbours, the needy, and the beggars.'

HADITH 23: It is in Tabrani Awsat and Kabeer from Hazrat Abu Dardah ﷺ that Rasoolullah ﷺ said, 'Zakaat is the Bridge of Islam.'

HADITH 24: Tabrani reported in Awsat from Hazrat Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'For the one who takes responsibility of six things for me, I will guarantee Jannat for him.' I said, 'What are they, Ya Rasool'Allah ﷺ?' He ﷺ said, 'Namaaz, Fasting, Zakaat, that which is entrusted to him, his private parts, the stomach, and the tongue.'

HADITH 25: Baz'zaar reported from Alqama ﷺ that Rasoolullah ﷺ said, 'The perfection of your Islam is in discharging the Zakaat from your wealth.'

HADITH 26: Tabrani reported in Kabeer from Hazrat Ibn Umar رضی اللہ تعالیٰ عنہما that Rasoolullah ﷺ said, 'One who brings Imaan in Allah and His Rasool ﷺ should pay the Zakaat from his wealth, and one who brings Imaan in Allah and His Rasool ﷺ should either speak the Truth (Haq)

or remain silent (in other words, he should not speak using vulgar words), and one who believes in Allah and His Rasool ﷺ should honour his guest.'

HADITH 27: Abu Dawud reports a Mursal narration from Hazrat Hasan Basri رحمه الله and Tabrani and Baihaqi have reported from a huge Jama'at of Sahaba-e-Kiraam رضى الله تعالى عنهم that Rasoolullah ﷺ said, 'Give your Zakaat and fortify your wealth in powerful fortresses; and treat your ill through Sadaqa, and when evil descends, then seek assistance in Dua (supplication) and weeping (in the Court of Allah).'

HADITH 28: Ibn Khuzaimah reported in his Sahih and Tabrani reported in Awsat, and Haakim in Mustadrak from Hazrat Jaabir رضي الله عنه that Rasoolullah ﷺ said, 'Verily Allah has removed harm (evil) from the wealth of one who has paid his Zakaat.'

LAWS OF JURISPRUDENCE

LAW 1: Zakaat in Shariat refers to making a Faqeer (i.e. a needy person who is not Maalik-e-Nisaab, i.e. one who is not solvent in the terminology of Shariah) the Maalik (owner), of a portion of wealth for the sake of Allah, as has been stipulated by the Shariah. The Faqeer should neither be Hashmi (i.e. Sayed, in other words, descendant of Nabi Kareem ﷺ), nor the freed slave of a Hashmi; and one should completely separate any benefit for oneself from this. [Durr-e-Mukhtar, vol.2, pages 4-6]

LAW 2: Zakaat is Fard (obligatory), and the one who rejects it is a Kaafir (unbeliever), and the one who does not pay it is a Faasiq (transgressor), and is deserving execution (i.e. in a country under proper Islamic Ruling), and the one who delays its payment is sinful. [Alamgiri, vol.1, pg.170]

LAW 3: (Simply) making it Mubah (lawful) does not fulfil the Zakaat. For example, if a Faqeer is fed some food with the Niyyat of Zakaat, the Zakaat has not been discharged, because in doing so the (condition) of making him the Maalik (owner) is non-existent. If one gave him the food; in the sense that he may either eat it or take it with him, then in this case, it (Zakaat) has been discharged. Similarly, if clothing was given to a Faqeer, or if he dressed him in it, the Zakaat is discharged. [Durr-e-Mukhtar, vol.2, pg.3]

LAW 4 : If one gave a Faqeer a house to live in, the Zakaat will not be discharged, because in doing so he has not given him any portion of the wealth (i.e. in this case the property), but rather, he has simply made him the owner of the benefit (i.e. the gains). [Durr-e-Mukhtar, vol.2, pg.3]

Law 5: When making (the Faqeer) Maalik (owner of the Zakaat), it is also necessary to give it (Zakaat) to a person who knows how to take possession (i.e. ownership) of it. In other words, it should not be such, that he throws it away, or he is deceived (regarding it); otherwise, it will not be counted as being discharged. For example, if one gave it (the Zakaat) to a very small child or to an insane person. If the child is not wise enough (to take proper possession), then it should be given on his behalf to his father who is also a Faqeer (deserving of Zakaat) or to the legal executor. Otherwise, it should be given in the possession of the child's guardian. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.3]

Law 6: There are certain conditions (pre-requisites) for Zakaat to become Waajib:

1. To be a Muslim

Zakaat is not Waajib (compulsory) upon a Kaafir (unbeliever). In other words, if an unbeliever becomes a Muslim, then he will not be ordered to pay Zakaat for the era in which he was an unbeliever. Allah Forbid! If a person becomes a murtad (apostate), then whatever Zakaat he has given in the era when he was a Muslim, is (now) void. [General Books, Alamgiri, vol.1, pg.171]

If a Kaafir became Muslim in a Darul Harb, and he was resident there for some years, and he then returned to Darul Islam, (then in this case), if he was aware of the fact that it is Waajib for a wealthy (i.e. solvent) Muslim to pay Zakaat, then the Zakaat for that period is Waajib (upon him), otherwise not. If he became Muslim in a Darul Islam, but did not pay the Zakaat for some years, then the payment of the Zakaat for those years is Waajib upon him, even though he says that he had no knowledge of Zakaat being Fard, as ignorance (of the

law) is not a valid excuse (Uzr) in a Darul Islam. [Alamgiri, vol.1, pg.171/172]

2. Buloogh

In other words, he must have reached the age of puberty

3. Aaqil

In other words, he must be of sane mind

There is no Zakaat upon a Na-Baaligh (one who has not reached the age of puberty); and if a person remains in an insane state for the entire year, then Zakaat is not Waajib upon him, and if he regains sanity at the beginning and end of the year, then even though he may remain in a state of insanity for the remainder of the period, the Zakaat is Waajib upon him. If the condition of the insane person prevailed from the beginning, i.e. if he became Baaligh in the state of insanity, then his year (of being liable for Zakaat) will commence from the year in which he regains his sanity. Similarly, if the condition is temporary, but the condition prevailed for the entire year, then only when he regains his senses (sanity), will it be counted as the beginning of the year (for his Zakaat). [Jauhira, Alamgiri, vol.1, pg.172; Raddul Muhtar, vol.2, pg.4]

Law 7: There is no Zakaat on a person who goes in and out of a state of insanity, if he remains in this condition for the entire year, and if he occasionally comes out of this condition, then Zakaat is Waajib upon him. Zakaat is Waajib upon a person who is in an unconscious (fainted) state, even though he may remain in an unconscious

(comatose) state for the entire year. [Alamgiri, vol.1, pg.172; Raddul Muhtar, vol.2, pg.4]

4. Azaad

To be a freeman (non-slave)

Zakaat is not Waajib upon a slave, even though he may be a Mazoon (i.e. licensed or privileged slave whose master has permitted him to trade), or a Mukatib (a slave who is under bond with his master to pay for his freedom within a stipulated time frame, and the slave also accepts this), or an Umm e Walad (a female slave who gave birth to a child accepted by her master as his offspring), or a Musta'a (a slave bought in partnership, whereas one partner has freed him, but because he is not solvent, he is ordered to earn whatever is due to the remaining partners, and pay them off). [Alamgiri, vol.1, pg.171]

Law 8: For whatever a slave who is Mazoon earns, there is no Zakaat upon him and neither is there Zakaat upon his master (for it). However, if he hands it over to his master, then Zakaat must be paid for those years as well by the master, on condition that the Mazoon is not absorbed in debt, otherwise there is absolutely no Zakaat on what he has earned, neither before he gives it in the possession of his master, nor after he has given it. [Raddul Muhtar, vol.2, pg.9]

Law 9: For whatever the Mukatib has earned, the Zakaat on it is not Waajib, neither on him, nor on his master. However, once he hands it over to the owner and a year passes, then as per the conditions of Zakaat, the Zakaat will become Waajib upon the master, and the Zakaat of the previous years is not Waajib. [Raddul Muhtar, vol.2, pg.9]

5. Possession of Nisaab (The Threshold)

In other words, he (or she) should have in his (or her) possession wealth (commodities, cash, stock etc.) which is according to the Nisaab (stipulated threshold in Shariah which qualifies one as a Zakaat payer). If he is the owner of less than the Nisaab amount, then Zakaat is not Waajib (upon him). [Tanweer, vol.2, pg.5; Alamgiri, vol.1, pg.172]

6. Complete Ownership

One should be the complete owner of it. In other words, it should also be in his possession (i.e. he should have full control over it). [Alamgiri, vol.1, pg.172]

Law 10: Those goods (valuables etc.) that were lost or fell into the sea, or were usurped, and one does not have any witnesses to it being usurped, or if he buried it in the wilderness somewhere, and he is unable to remember where he really buried it, or if he gave it as Amaanat (i.e. he entrusted it) to some stranger, and he cannot remember who he entrusted it to, or if the Madyun (i.e. debtor) refuses to pay the Dayn (i.e. the debt), for which he has no witnesses, and thereafter, the goods (valuables etc.) were found (i.e. recovered), then (in this case) the Zakaat is not Waajib on the wealth for the period in which he had not recovered it. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.11/12]

Law 11: If the debt is on such a person who accepts the debt but is delaying in payment, or if he is insolvent, or if the Qadi (Muslim Justice) has declared him to be insolvent, or if he refuses to pay the debt, but he (the creditor) has witnesses (that he is owed the said

amount), then once he receives the payment, the Zakaat for the previous years is also Waajib. [Tanweer, vol.2, pg.12]

Law 12: If someone is responsible for the 'Ghasb' of a grazing animal (i.e. Ghasb unlawfully seizing something, to usurp), even though he may accept he has seized it, then even after it is recovered, there is no Zakaat for the period in which it was seized. [Khania]

Law 13: Zakaat is not Waajib upon the 'Ghaasib' (i.e. the usurper) for that which he has usurped (unlawfully seized), but rather it is Waajib upon the usurper to return the usurped property (etc.) to the rightful owner from whom it was usurped. If the Ghaasib (usurper) has mixed that wealth (or goods etc.) with his own wealth, in a manner whereby it is impossible to differentiate between both, and his wealth is within the stipulation of Nisaab, then it is Waajib for him to pay Zakaat on all of it. [Raddul Muhtar, vol.2, pg.34]

Law 14: If one person usurped (for example) one thousand rupees belonging to someone else, and then someone else usurped the same money (rupees) from him (i.e. from the initial usurper) and then spent it, and both the usurpers have one thousand each of their personal wealth, then Zakaat is Waajib upon the first usurper and not upon the second usurper. [Alamgiri, vol.1, pg.173]

Law 15: The Zakaat of the 'Shay Marhun' (pawned / pledged item) is neither on the 'Murtahin' (pledgee) nor on the 'Raahin' (pledger), as the Murtahin is not the actual owner, and the ownership of the Raahin is not complete, because it is not in his possession (i.e. full control). Afterwards, even after releasing the pledge (i.e. the pawned item), the Zakaat for those years is not Waajib. [Durr-e-Mukhtar, vol.1, pg.9]

Law 16: If one purchased goods for trade purposes, but did not take possession of it for an entire year, then the Zakaat for the period before the 'Mushtari' (buyer) took possession of it, is not Waajib, and after he takes possession of it, the Zakaat for that year is also now Waajib. [Durr-e-Mukhtar, Raddul Muhtar, vol.1, pg.9]

7. Nisaab must be free from Debt (Liability)

Law 17: If a person is Maalik–e-Nisaab (i.e. owner of Nisaab) but he is in debt, such that if he pays off the debt, he will have no Nisaab, then in this case the Zakaat is not Waajib upon him. This applies even if the debt is to a person, such as a loan or 'Zar e Thaman' (i.e. the price of something which he has purchased), or if it is the 'Tawaan' (payment for a claim against him), or if it is a debt to Almighty Allah, such as Zakaat. Khiraj; for example, if a person is only owner of one Nisaab, and two years have passed in which he did not pay his Zakaat, then only the Zakaat of the first year is Waajib, and not that of the second year, because the Zakaat of the first year is a debt (which he must pay), and after he deducts that and finds that the Nisaab does not remain any longer, then the Zakaat of the second year is not Waajib (i.e. in the first year). Similarly, if three years passed by, but in the third year only one day remained, and he acquired a further five Dirhams, then in this case as well, only the Zakaat of the first year is Waajib, because in the second and third years the Nisaab does not remain, after payment of the Zakaat (in this case). However, if from the day that he receives the five dirhams until a year, the Nisaab remains (i.e. if he remains Maalik-e-Nisaab for that year), then on completion of that year, Zakaat is now Waajib. Similarly, if he was Maalik-e-Nisaab (owner of Nisaab), and he did not pay the Zakaat at the completion of the year, and then he lost all the wealth, and then again acquired more wealth, which is equal to Nisaab, but if he

deducts the Zakaat of the first year from it, the Nisaab will not remain any longer, then the Zakaat for that new year is not Waajib. If he did not intentionally lose the initial wealth, but it was lost without intent, then (in this case) the Zakaat for that becomes void. Hence, that Zakaat is not a debt (liability), so in this case the Zakaat of the New Year is now Waajib upon him. [Alamgiri, vol.1, pg.172/174; Durr-e-Mukhtar, vol.2, pg.6]

LAW 18: If he is not personally the 'Madyun' (Debtor), but he is actually the 'Kafeel' (one who undertook the responsibility to discharge the debt, i.e. Guarantor) of the Debtor, and after deducting the amount for the 'Kifaalat' (collateral/surety) the Nisaab does not remain intact, then Zakaat is not Waajib (upon him). For example, Zaid has one thousand rupees, and Amr took a loan of one thousand rupees from someone, and Zaid gave surety for him, then in this case Zakaat is not Waajib on Zaid, because even though Zaid does have money in his possession, it is tied up in Amr's debt, because the creditor has the right to claim it from Zaid, and if he does not get it from Zaid then he is at liberty to have Zaid imprisoned, so this money is thus tied up in debt, so Zakaat is not Waajib on that amount. If ten people have stood surety for Zaid and all of them have one thousand rupees each, then too Zakaat is not Waajib upon any one of them (for this), because the creditor is at liberty to claim it from any one of them, and if he does not receive it from them, he is at liberty of having whomsoever (of them) he wishes imprisoned. [Raddul Muhtar, vol.2, pg.6/7]

LAW 19: According to the correct Madhab, that which is Dayn-e-Mi'aadi (Debt or loan which is lasting to the end of its term, i.e. for which no time limit is fixed), does not hinder Zakaat becoming Waajib. [Raddul Muhtar, vol.2, pg.7]

Since 'Dayn-e-Mahr' (Debt of Dowry) is not habitually claimed, thus no matter whatever amount the husband owes in Mahr (to his wife), if he is Maalik-e-Nisaab, Zakaat is (still) Waajib upon him (meaning that owing dowry is not something which will hinder Zakaat being Waajib on him). [Alamgiri, vol.1, pg.173]

This especially applies with regard to 'Mahr e Mu'akkhar' (deferred, to be paid in the event of Islamic divorce or death of the husband etc.) which is common here (in India etc.), for which no specific time limit is fixed, because in this case the wife does not really have the authority to make a claim for it, until death or Talaaq (Islamic Divorce) does not take place.

LAW 20: The Nafaqa (essential financial support/provisions) of a man's wife is not regarded as 'Dayn' (A debt), until the Qadi does not order it, or unless both of them have not settled on an amount (for it), and if both these (conditions) are not present, then it will be void (i.e. it will fall away). It will thus not be Waajib upon the husband to pay it, so it is thus not something which hinders the payment of Zakaat. With the exception of one's wife, the Nafaqa for any other relative will only be regarded as 'Dayn' (a debt), if a period of less than a month has passed, or if that relative took a loan on the order of the Qadi; and if both these cases are not present, then it falls away, and is not something which hinders payment of Zakaat. [Alamgiri, vol.1, pg.173; Raddul Muhtar, vol.2, pg.7]

LAW 21: 'Dayn' (A debt/loan) is only regarded as something which hinders payment of Zakaat, if it is something which existed before Zakaat became Waajib upon the person, and if it (the debt) is incurred after a year passes on Nisaab, then that 'Dayn' (debt) has no effect on the Zakaat. [Raddul Muhtar, vol.2, pg.6]

LAW 22: In this regard, there is no credence to that 'Dayn' which is not claimed from the servants (people). In other words, it is not a factor which hinders the payment of Zakaat. For example, Nazr (offering), Kaffarah, Sadaqa e Fitr, Hajj and Qurbani (etc.), because if the expenses for these are deducted from the Nisaab, then even though the Nisaab does not remain intact, Zakaat is still Waajib. For Ushr and Khiraj (land tax) to become Waajib, debt is not a hindering factor, in other words, even if one is a debtor, these things will be Waajib upon him. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.6]

LAW 23: That Debt which occurred in the course of the year, in other words, one was not a debtor in the beginning of the year, but later fell into debt, and then at the end of the year, with the exception of the 'Dayn', he became Maalik-e-Nisaab, then Zakaat is now Waajib upon him. This case can be understood from this example; let's suppose the creditor pardoned (i.e. wrote off) the debt, so now because he is not responsible for the 'Dayn' (debt), and the year has also come to an end, thus it is now Waajib upon him to pay Zakaat. It does not mean that Zakaat will only be Waajib upon him, from now until another year passes (as this is incorrect). If he was in debt from the beginning of the year, and it was written off at the completion of the year, then in this case Zakaat will not be Waajib now, but (in this case) it will be only Waajib after a year passes after this. [Raddul Muhtar, vol.2, pg.9/10]

LAW 24: If a person is in debt and he is owner of few Nisaabs (i.e. more than one Nisaab), and the 'Dayn' can be paid off from each one of them (the Nisaabs); in other words, he has rupees and Ashrafis (i.e. cash), and he also has trade goods (i.e. stock etc.), and he has grazing animals as well, then (in this case) he should regard the Ashrafis (i.e. the money) as means of payment for the debt, and he should give the

Zakaat from the other things. If he does not have cash, but he has Nisaab of different kinds of grazing livestock. For example, if he has forty goats, thirty cows and five camels, then (in this case) he should give Zakaat from that which is easier for him, and he should set aside the others for payment of the debt; and if in the above situation, he gives the Zakaat from the goats or the camels, then he would have to give one goat, and for the cows he would have to give a one year old calf. Thus, it is obvious that it is easier for him to give one goat instead of giving a one year old calf, so he may give the goat, and if it is alike, then he has the choice (to give from where he wishes). For example, if he has five camels and forty goats, the Zakaat for both is one goat, so he has the choice of paying it from whichever he wishes to for the 'Dayn' and from whichever one he wishes he may give the Zakaat. All this detail is only applicable if someone appointed by the King (Muslim Ruler in a Proper Muslim State) comes to collect the Zakaat, and if one wishes to pay the Zakaat on his own accord, then he has complete choice in all these cases. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.10]

Law 25: If one owes one thousand rupees (or Rands or any other currency), and he has in his possession one thousand rupees, and he also has one house and a slave (servant) to serve him, then in this case Zakaat is not Waajib upon him. Even though the house and the slave are both worth one thousand rupees each, as these things are from Haajat-e-Asliyah (a person's basic essentials). Additionally, when money is present, then it is money which will be in lieu as payment of the loan, and not the house or the slave. [Alamgiri, vol.1, pg.173]

The slave rule does not apply as slavery has been currently abolished. All such rules are being explained in this book as they are from the rules of Jurisprudence.

8. The Nisaab must be free from Haajat-e-Asliyah (i.e. after Haajat-e-Asliyah)

Law 26: Haajat-e-Asliyah refers to those things which a person requires to live his life. Zakaat is not Waajib in these things (i.e. there is no Zakaat in these things); such as the house in which one lives, the clothing which one requires to wear in summer and winter, household necessities, an animal for transport (i.e. a mode of transport), handmaids or bondsman for your service, weapons for war (i.e. for protection), a workman's tools, essential Kitaabs (books) for the people of knowledge, and grains (i.e. groceries) for eating. [Hidaya, Alamgiri, vol.1, pg.172; Raddul Muhtar, vol.2, pg.10/11]

Law 27: If a person purchased such an item which he will utilise in his work (field of profession), and its traces (effects) will remain in that work (item), such as (tannin of) gall-nut which is used in tanning (animal) hides, and oil etc. Hence, if one year passes over it, the Zakaat on it is Waajib. Similarly, if a dyer buys saffron, or safflower colour to dye clothing which he charges to do, then if this is equal to the amount of Nisaab, and a year has passed, then Zakaat on it is Waajib. The same ruling applies to powder dyes etc., and if it is such a thing that its effect will not remain, such as soap, then even if it is equivalent to the amount of Nisaab, and a year has passed, the Zakaat on it (that soap etc.) is not Waajib. [Alamgiri, vol.1, pg.172]

Law 28: If a perfumer purchased bottles to sell perfumes (Itar) in, Zakaat is Waajib on them. [Alamgiri, vol.2, pg.11]

Law 29: If one took (i.e. kept aside) money for spending (i.e. for expenses), then this too is from Haajat-e-Asliyah. If money is kept to be spent on Haajat-e-Asliyah, then whatever you spent in the year is

fine, but if whatever is remaining is equivalent (or more) than Nisaab, (then) Zakaat is Waajib on it, even if one kept it with the Niyyat of spending it in future for Haajat-e-Asliyah. If at the time of the completion of the year (i.e. your Zakaatable year) there is need to spend it for Haajat-e-Asliyah, then Zakaat is not Waajib (on that amount particular). [Raddul Muhtar, vol.2, pg.8]

LAW 30: Kitaabs (Books) for the 'Ahl-e-Ilm' (people of Knowledge / scholars) are from Haajat-e-Asliyah, and even if it is in the possession of those who are not from the people of Knowledge, there is still no Zakaat on Kitaabs, on condition that it is not kept for trade (businesses) purposes. The only difference in this is that with the exception of these Kitaabs, if the people of knowledge (i.e. Ulama) do not have wealth (money etc.) equal to Nisaab, it is permissible for them to take Zakaat, and it is impermissible for those who are not Ahle Ilm (to take Zakaat) if they have books to the value of two hundred Dirhams (two hundred Dirhams used to be the Nisaab threshold so wherever this is mentioned, it refers to the current Nisaab threshold). The 'Ahl' here refers to those who require these Kitaabs for reading (learning), teaching and for rectification. Books (Kitaab) here, refers to Madhabi (Deeni) Books, meaning Kitaabs of Fiqh, Tafseer and Hadith. If one has more than one copy, then if all the extra copies put together are valued at two hundred Dirhams (i.e. at current Nisaab), then it is also impermissible for the 'Ahl' to accept Zakaat as well. This applies whether just one extra copy is of the said value, or if many extra Kitaabs collectively make up that amount. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.11]

LAW 31: For a Hafiz, the Holy Qur'an is not from Haajat-e-Asliyah, and for a non-Haafiz, having more than one, is to have more than the Haajat-e-Asliyah. In other words, if the (extra) Mushaf Shareef costs

more than two hundred dirhams (i.e. the price to purchase such printed version of the Qur'an exceeds Nisaab), then (for him) to accept Zakaat is impermissible. [Jauhira, Raddul Muhtar, vol.2, pg.11]

Law 32: Medical Books for a Tabeeb (Physician, Doctor) are from Haajat-e-Asliyah, on condition that he studies them, and he finds the need to revert to it. Books of Arabic Syntax (Nahw), Etymology (Sarf), Astrology and Poetry Collections and story books etc. are not from Haajat-e-Asliyah. Books of Usool-e-Fiqh (Principals of Fiqh), Ilm Al Kalaam (Islamic Science of Scholastic theology), and books of Akhlaaq (Morals and Etiquette) such as Ihya Al Uloom and Kimya e Sa'adat etc, are from Haajat-e-Asliyah. [Raddul Muhtar, vol.2, pg.11]

Law 33: Those books which are in refutation of the unbelievers and in refutation of the budmazhabs (deviant sects), and those books which are in support of the Ahle Sunnat, are from Haajat-e-Asliyah. Similarly, if an Aalim keeps the books of Budmazhabs (deviants) etc. so that he may (use it) to refute them, then these too are from Haajat-e-Asliyah (for him), and for a non-Aalim, to even look (at such books) is impermissible.

9. The Wealth must be 'Naami' (i.e. it must have potential of growth)

In other words, it should be wealth (assets etc.) which grow (i.e. have potential of growth); whether growth may be in real form or constructively. In other words, if he wishes to grow (i.e. increase) it, then he should be able to, meaning that it may be in his possession or in the possession of the representative (i.e. his duly appointed agent).

The (Growth) of each is of two types:

1. If it has been purely created for this purpose. This (type) is known as Khilqi (its growth is natural), such as gold and silver. These have been created so that things can be purchased with them.

2. Alternatively, if it has not been really created for this purpose, but this purpose can be attained by it. It is called Fe'li (not natural, i.e. artificial).Everything except gold and silver are Fe'li because trade grows everything.

Zakaat is Waajib absolutely, in gold and silver, if it is to the value of Nisaab, even if one has buried it away, and even if one has it for business purposes, or not. With the exception of this, Zakaat is Waajib on all other things, if they are intended for trade purpose (i.e. for business), or on livestock which is left to graze. Therefore, in conclusion, Zakaat is payable on three categories of assets:

1. Thaman, (here) meaning gold and silver

2. Assets (commodities) used for trade (i.e. trade goods)

3. Sa'imah[1], in other words, livestock which is left to graze. [General Books, Shaami, vol.2, pg.13; Alamgiri, vol.1, pg.174]

LAW 34: The Niyyat of trade (business) is sometimes explicit and sometimes by way of indication, i.e. intrinsically.

1: Sa'imah actually refers to livestock which is left to graze for most of the year, and the aim is to only acquire its milk and to breed its offspring, or to fatten it. More detail will follow in the section on Zakaat on livestock.

Explicitly, is when the intention of business is made when making the Aqd (contract, or doing the dealing), be this a contract of purchase or of Ijaarah[1]. The Thaman (price) should be the price in currency or something from 'Asbaab' (something derived from it, i.e. its product etc.).

Intrinsically, is when the goods are purchased for the sake of business, or a house which is for business purposes; and it was given on rent in lieu of the same 'Asbaab.' Therefore, this 'Asbaab' and that commodity, which has been purchased are regarded as being for business reasons, even though the intention of business was not made extrinsically. Similarly, if one took something from someone on credit, but it is for business, then this too is counted as being for a business purpose. For example, if one is the owner of two hundred dirhams (i.e. whatever is the current Nisaab) and he took on credit a mound full of wheat, so if it was not taken for business purposes, then the Zakaat on it is not Waajib, because the price of wheat will be deducted from the same two hundred.

Therefore, no Nisaab will be left, and if it is for business purposes, then Zakaat is Waajib, as the value of that wheat will be added to the two hundred dirham (i.e. to the current Nisaab threshold), and then from that total, the credit amount should be deducted, so two hundred dirham (i.e. Nisaab) will (still) remain, thus Zakaat is Waajib. [Alamgiri, vol.1, pg.174; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.13]

1: Ijaarah refers to renting, leasing or taking on contract

LAW 35: That contract (transaction) in which there is no transfer (i.e. exchange), such as Hibah (Gifting), Wasiyat (bequest), Man'nat (Vow) and Sadaqa (Charity), or even if there is (some kind of) exchange, but the exchange is not by means of wealth (Maal), such as in the case of Mahr (Dowry), the 'Khula'[1] alternative, and the 'Atq'[2] alternative. If one became the owner of any thing (i.e. item) by way of these two contracts, then the Niyyat of business in this is invalid, in other words, even if the Niyyat (intention) of business is made, there is no Zakaat on it. Similarly, if one received such a thing as inheritance, then the Niyyat of business in this is also invalid. [Alamgiri, vol.1, pg.174]

LAW 36: If the Muwar'rath (Testator) had trade goods (or money) for business, and after his death, the inheritors made the Niyyat of business, then in this case Zakaat is Waajib. Similarly, if one receives livestock which grazes, as inheritance, the Zakaat on it is Waajib, whether one wishes to keep them for grazing or not (i.e. breed them or not). [Alamgiri, vol.1, pg.174; Durr-e-Mukhtar, vol.1, pg.18]

LAW 37: In making the Niyyat of Tijaarat (business/trading), the Niyyat should be present at the time of the contract (dealing), even if this is done extrinsically, i.e. by way of indication (Dalaalatan). If the Niyyat was made after the contract, Zakaat will not be Waajib. Similarly, If one purchased something just to keep it (i.e. for personal use), and he also said that if I get any profit (benefit from it), then I shall sell it, then in this case Zakaat is not Waajib on it. [Durr-e-Mukhtar, vol.2, pg.18/19]

1: That wealth (money etc) by way of which a marriage is dissolved.
2: That wealth (money etc.) by way of which a slave or handmaid is freed.

LAW 38: If a person bought a slave with the intention of business, and then made the Niyyat of keeping him in his service (i.e. as a servant in his home etc.), and then (again) he made the intention of business, then in this case, it will not be regarded as business unless he does not sell him for such a commodity in which the payment of Zakaat is Waajib. [Alamgiri, vol.1, pg.174; Durr-e-Mukhtar, vol.2, pg.17]

LAW 39: Zakaat is not Waajib on pearls and gemstones, even if they are worth thousands. However, if it is purchased with the intention of business (i.e. as trade goods), Zakaat is Waajib on them. [Durr-e-Mukhtar, vol.1, pg.18]

LAW 40: Making the Niyyat of business in that which sprouts from the ground is not Waajib. This applies whether the land is 'Ushri' (in which one-tenth must be paid) or 'Khiraji' (taxed land), even if it his own property, or part of the public land, or if it is something which he has taken on rent. However, if the land is 'Khiraji' and he took it on 'Aariyat' (as loaned Property) or on rental, and he sold that which was for business purposes, then in this case the Niyyat of business in that which sprouted is correct, i.e. valid. [Raddul Muhtar, vol.2, pg.13/14]

LAW 41: Whatever a 'Mudharib[1]' buys with the Maal, i.e. capital from his Mudharabat, even though he may not have the Niyyat of business, and even though he may have purchased it for personal expenditure, Zakaat is Waajib on it, to this extent that even if a slave is purchased with the 'Maal' (wealth) of Mudharabat, and if he purchased clothing for him to wear, and grain for him to eat, then all of this is actually for business purposes, and Zakaat on all this is Waajib. [Durr-e-Mukhtar, Raddul Muhtar, vol.1, pg.13]

10. Completion of a Year (i.e. a full year of Nisaab)

A year here refers to the Lunar year, in other words, 12 months based on the moon (lunar) month. If in the beginning of the year or at the end of the year, the Nisaab was complete (i.e. one was solvent) but in the middle of the year, there was a shortage of Nisaab (the minimum Zakaat threshold), then this shortage does not make any difference. In other words, the Zakaat will still be Waajib (at the end of the year). [Alamgiri, vol.1, pg.175]

Law 42: If one exchanged the trade goods for gold and silver with something of its own 'Jins' i.e. own kind[2] (i.e. of the same category), or something of a different kind (i.e. different category), then due to this, there is no loss on the completion of the year. However, if one changed livestock, then the year has been cut, and now he will count the year from the day on which he changed it. [Alamgiri, vol.1. pg.175]

Law 43: If a person is Maalik-e-Nisaab (i.e. solvent person), and in the middle of the year (i.e. in the course of the year) he acquired something of the same type (i.e. the same type of commodity), then the year for the new goods is not counted as a separate year, but the end of the year of the initial goods (or cash etc.) is the same year

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1: Mudharabat is a type of partnership in Shariah, in which from one end there is Maal (finance, goods etc.) and from the other end there is work, and both are partner to the profits. The one who carries out the work is called the Mudharib and whatever the owner gives is known as Raas Al Maal (i.e. payment of Mudharabat).

2: Gold and silver here is absolutely regarded as one 'Jins' i.e. of one kind (i.e. one category), similarly is the jewellery, utensils and other things (made from them), and the Maal e Tijaarat (i.e. business capital) will also be counted in the same 'Jins', no matter which type it is of, because its Zakaat is also paid based on the value of gold and silver.

ending for this as well, even if it was acquired a minute before the year ended, and it does not matter whether this asset was attained by means of the same initial commodity, or whether it was acquired by way of inheritance, or as Hibah (a gift), or by way of some other permissible means. However, if it is of a different type, for example; initially, he had camels and now he acquired goats, then he will count a new year for that. [Jauhira]

LAW 44: If a Maalik-e-Nisaab acquired some Maal (i.e. cash, goods etc.), and he has two Nisaabs, and the year count for both the Nisaabs are separate, so the assets which he acquired in the middle of the year (i.e. in the course of the year), he should add it to those (assets), in other words to the Zakaat of the first one which was already Waajib. For example, if he had one thousand rupees, and the value of the Sa'imah which he already paid in Zakaat, so (in this case) both cannot be combined. However, if he acquired a further one thousand rupees in the middle of the year, then the Zakaat on that is when the year for the Zakaat of the first one amongst the two is counted. [Durr-e-Mukhtar, vol.2, pg.31/32]

LAW 45: If one had grazing livestock and he paid the Zakaat on them at the completion of the year, and then he sold them for cash, and he also has in his possession capital (i.e. money) which is equal to the value of Nisaab, on which half a year has already passed, then in this case, this (newly acquired) capital (from sale of the livestock) will not be mixed (added) to the other amount. However, for the (newly acquired) amount, the New Year will commence at this time (i.e. when he acquired it after sale of the livestock). This will apply only when this is the value of it, and is equal to the amount of Nisaab, otherwise according to consensus he will add it to the older amount. In other words, the Zakaat for it will be paid with that of the old amount (i.e.

when the Zakaat for the old amount becomes due, then the Zakaat on this newly acquired amount will also be due). [Jauhira, Alamgiri, vol.1, pg.175]

LAW 46: If before the completion of the year, one sold a Sa'imah for cash (i.e. money), then in this case he will add this cash to the earlier cash which he already has. In other words, when the year count for the first amount ends, then Zakaat on the (newly acquired) amount will also be paid. A new year will not be counted for this. Similarly, if he sold the animal in lieu of an animal, then that (newly acquired) animal will be added to the other animal which he already possesses. If he already gave the Zakaat for a Sa'imah and did not keep it as a Sa'imah any longer, and then sold it, then in this case he will add the Thaman[1] to the older capital (amount etc.). [Alamgiri, vol.1, pg.175]

LAW 47: If he sold camels, cows and goats, in exchange of one another before the completion of the year, then now, the year count for that (newly acquired animal) will be a new one. Similarly, if one sold it for something else with the Niyyat of trade, then a year from now, Zakaat will be Waajib on it, and if he sold it for its own class (same kind of thing), in other words, he sold a camel for a camel and a cow for a cow, the same rule will apply here as well. However, if he sold it after the completion of the year count, then the Zakaat has become Waajib (already) and it is his responsibility (to discharge it). [Jauhira]

1: Thaman is the value/price of something

LAW 48: If one sold a Sa'imah in the middle of the year (i.e. in the course of the year), and before the year ended, the buyer returned it due to some defect in it; therefore, if he has returned it on the command of the Qadi, then the new year for it will not commence, otherwise the new year count will start from now. Also, if it was gifted to someone and it was then returned before the end of the year, a new year will be counted (from the date of return), and this will apply whether it is returned on the command of the Qadi, or if it was done personally. [Jauhira]

LAW 49: If one was in the possession of Khiraji land and after paying the Khiraj, if he sold the land, then the Thaman (payment/price) will be added to the actual Nisaab (amount which he had). [Alamgiri, vol.1, pg.175]

LAW 50: If one has in his possession cash, on which he has already paid Zakaat, and he then purchased grazing livestock with it, and he has in his possession animals of the same (Jins) class from before, then (in this case) he will not mix them (i.e. add them) to those (to calculate Zakaat, but they will be separate). [Alamgiri, vol.1, pg.175]

LAW 51: If someone gave a person four thousand rupees as a gift (Hibah), and before the year ended, he acquired a further one thousand rupees, and the one who had initially given him the (monetary) gift, took it back on the command of the Qadi, then there is no Zakaat on the newly acquired rupees as well, until a year does not pass over them. [Alamgiri, vol.1, pg.175/176]

LAW 52: If someone has in his possession goats for business purposes, which are valued at two hundred dirhams (i.e. they reach the current Nisaab amount), and before the year ended, one goat died, and even

before the year ended, he skinned it and cooked (tanned) the skin (animal hide), then (in this case) the Zakaat is Waajib. [Alamgiri, vol.1, pg.175/176]. In other words, this will apply if the animal equals to the value of Nisaab.

LAW 53: When giving (paying) Zakaat or when separating amounts (etc.) for Zakaat, to make the Niyyat (intention for Zakaat) is a condition. The meaning of Niyyat here is that if someone asks you about it, then you should immediately without any hesitation be able to say that it is Zakaat. [Alamgiri, vol.1, pg.170]

LAW 54: If one was giving out Khayraat (optional charity) for the entire year, and only now he makes Niyyat saying that whatever I have given is Zakaat, then (in this case) it is not valid, i.e. it is not discharged. [Alamgiri, vol.1, pg.170]

LAW 55: If he (the owner of the Nisaab) appointed someone as his Wakil (Agent) and when handing over (the Zakaat) to him, if he did not make the Niyyat of Zakaat, but the Muwakkil (i.e. the one who gave the Zakaat), made the Niyyat of Zakaat when the Wakil had given it to the Faqeer (deserving person), then (in this case) it is regarded as being discharged. [Alamgiri, vol.1, pg.171]

LAW 56: If when giving it (Zakaat) one did not make Niyyat for it, but he made the Niyyat afterwards, then if that cash (or goods) etc. is still in the possession of the Faqeer, (in other words, it is in his financial control), then this Niyyat is sufficient, otherwise not. [Durr-e-Mukhtar, vol.2, pg.14]

LAW 57: If one appointed someone as a Wakil (agent) and he handed the amount (etc.) over to the Wakil with the Niyyat of Zakaat, but the Wakil did not make the Niyyat of Zakaat when giving it to the Faqeer, it is still regarded as being discharged. Similarly, if the Zakaat amount was given to a Zimmi (i.e. an unbeliever who is the responsibility of a Muslim State), asking him to hand it over to a Faqeer, and he made the Niyyat whilst giving it to the Zimmi (to discharge it for him), then this Niyyat is sufficient. [Durr-e-Mukhtar, vol.2, pg.14]

LAW 58: When handing it over to the Wakil if one said that it is Nafil Sadaqa (optional charity) or Kaffarah (compensation amount), but before the Wakil handed it over to the Faqeer, he (the owner) made the Niyyat of Zakaat, (then in this case) it will be regarded as Zakaat, even if the Wakil gave it to the Faqeer with the Niyyat of Nafil or Kaffarah. [Durr-e-Mukhtar, vol.2, pg.14]

LAW 59: If one person was made the Wakil (the agent) of many Zakaat payers, and he has mixed all their Zakaat together, he will have to give 'Tawaan' (a claim against him, i.e. damages/compensation), and whatever he has given to the Faqeers, is now simply a contribution, in other words, he will not receive any compensation from the owners (of the Zakaat) or from the Faqeers. However, if before he gave it to the Faqeers (insolvent person / legal recipient of Zakaat), the owners permitted him to mix (all their Zakaat collectively), then he is not liable for the Tawaan. Similarly, if the Faqeers have also made him the Wakil of receiving their Zakaat, and he mixed it, then he is not responsible for Tawaan, but at that time it is important to note that if he is the Wakil of only one Faqeer, and he receives Zakaat from few places, to the extent that when it is all put together it adds up to the amount of Nisaab, so now the one who knowingly gives him Zakaat, his Zakaat will not be discharged.

Alternatively, in the case where he is the Wakil of few Faqeers, and he received such a sum of Zakaat that the share of every (Faqeer) reaches the threshold of Zakaat, then in this case, it is impermissible to give Zakaat to that Wakil. For example, if he is the Wakil of three Faqeers and he received six hundred Dirhams (i.e. three times whatever is the threshold of Zakaat currently, as two hundred dirhams has been given as an example, as it used to be the stipulated threshold at that time), meaning that the share of every (Faqeer) is two hundred Dirhams which is the Nisaab, and if he received less than six hundred Dirhams, then in this case none of them have received equal to the threshold of Zakaat. Alternatively, if every Faqeer made him his Wakil independently, then in this case the collective amount will not be taken, but what will be seen is how much each one of them received (independently). In this situation, it is impermissible to mix them together without the permission of the Faqeers, but if he mixes them, the Zakaat will still be discharged, and he will give Tawaan to the Faqeers, but if he is not the Wakil of the Faqeers, then it can be given to him, no matter how many Nisaabs are kept collectively by him. [Raddul Muhtar, vol.2, pg.14/15]

Law 60: For the trustees of numerous Waqf bodies to mix the income of one (body) into that of the other is not permissible. Similarly, 'a Dalaal' (i.e. a broker) is not permitted to mix the money of Thaman and that of sales together[1]. Similarly, if financial assistance was sought for few Faqeers (i.e. more than one), then it is impermissible to mix them up without their permission.

1: In other words, for the broker to mix the amount of a purchased item, or the purchased commodity together.

Likewise, it is impermissible for the one who grinds flour to mix the peoples wheat (i.e. if many people have given him wheat to grind), except at some place where to do this is the 'Urf,' i.e. the accepted norm, as in such a place to do this is permissible, and in all these cases, he will give Tawaan. [Khania]

LAW 61: If the Muwakkils (those who appointed him an agent) did not extrinsically (i.e. clearly) give permission for him to mix them up together, but the norm to do so is such that the Wakils mix them up, then this too will be regarded as (a form of) permission, on condition that the Wakil is aware of this norm. However, a broker is not permitted to mix them, because for this, there is no norm. [Raddul Muhtar, vol.2, pg.14]

LAW 62: The Wakil has the choice (right) of giving the amount of Zakaat to his son or wife, if they are Faqeer (deserving of Zakaat), and if the son is Na-Baaligh, then in order to give it to him, the Wakil himself must qualify as a Faqeer. Additionally, he is only permitted to give this to his son or wife, if with the exception of them, the Muwakkil (i.e. the one who appointed him the Wakil) has not stipulated a particular person to whom he should give it (the Zakaat) to, otherwise if he has, he cannot give it to them. [Raddul Muhtar, vol.2, pg.14/15]

LAW 63: The Wakil does not have the free will (i.e. option) to take it for himself, unless the one who has given the Zakaat says to him that he may utilise it wherever he wishes to, (then it in this case) he can take it. [Durr-e-Mukhtar, vol.2, pg.15]

LAW 64: If the one giving the Zakaat did not order him to do so (i.e. to pay the Zakaat on his behalf), but he gave it by himself, the Zakaat is not discharged, even though he has now permitted it. [Raddul Muhtar, vol.2, pg.14]

LAW 65: If the one giving the Zakaat gave the Zakaat money to the Wakil and the Wakil kept it, and he gave his own money to pay the Zakaat, then this is permissible. If his intention is that in lieu of this I will take the money of the Muwakkil, and if the Wakil first spent that money, and then gave his money to fulfil the Zakaat, the Zakaat has not been discharged. However, this will be regarded as merely being a contribution, and he will give Tawaan to the Muwakkil. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.15]

LAW 66: The Wakil of Zakaat has the free will (i.e. the option) to make another person Wakil (The Responsible Agent) without the permission of the Maalik (owner). [Raddul Muhtar, vol.2, pg.15]

LAW 67: If someone said, 'If I enter into this house, then for the sake of Allah I have to give this hundred rupees (Rands, dollars etc.) in Khayraat (charity),' and he then entered (that house), but when entering he made the Niyyat that, 'I will give it as Zakaat, then (in this situation) he cannot give it as Zakaat.' [Alamgiri, vol.1, pg.171]

LAW 68: If one was holding the Zakaat money in his hand and the Faqeers grabbed it from his hand and fled, the Zakaat has been discharged. Alternatively, if it fell from his hand and the Faqeers picked it up, then if he recognises him (as being a rightful recipient) and is fine with this, and the money was not wasted, it will be discharged. [Alamgiri, vol.1, pg.183]

LAW 69: If that which has been entrusted to a person who is in a position of trust (An Ameen) is lost, and he gives some money to the owner to eliminate any contention, and in doing so if he made the intention of Zakaat, and the owner is also a Faqeer, the Zakaat will still not be valid (i.e. not discharged). [Alamgiri, vol.1, pg.171]

LAW 70: By simply separating (keeping aside) the amount (or goods) with the Niyyat of Zakaat will not absolve one of this responsibility, until he does not give it to the Faqeers (i.e. to the rightful recipient), so much so, that if that amount is depleted, the Zakaat will not be waived. Alternatively, if he dies, that money (which he kept aside) will be regarded as part of the inheritance to his heirs. [Durr-e-Mukhtar, Raddul Muhtar, vol.1, pg.15]

LAW 71: On completion of the year, if one gave all his Nisaab away as Khayraat (optional charity), even if he did not make the Niyyat of Zakaat, but rather he made the Niyyat (intention) of Nafil, or if he did not make any Niyyat, the Zakaat has been fulfilled. However, if he gave all away to Faqeers and he made the Niyyat of Man'nat (fulfilment of a vow) or some other Waajib Niyyat, then giving it away is allowed. However, he is still liable for the Zakaat because it has not been waived, and if he only gave a portion of the wealth as Khayraat, then the Zakaat for that portion has not been waived, but he is still liable for its payment. Alternatively, if all of his wealth has been lost, then the Zakaat for all of it has been waived (i.e. it is maaf and he is not liable for its payment), and if a portion of it was lost, then the Zakaat for the lost portion is waived and the Zakaat on the remaining wealth is Waajib, even if it is not equal to the threshold of Zakaat. Being lost means that it was lost without his own doing; for example, it was stolen, or if had given a loan or lent it to someone and he refuses (to pay it) and there are no witnesses to this, or if he died and

did not leave behind anything in his estate. However, if it is something caused by his own doing; for example, if he spent it, or if he threw it away, or if he gifted it to a wealthy (solvent) person (to a non-Faqeer) then (in this case) the Zakaat is still Waajib upon him as normal. A single cent will not be waived, even though he is now completely insolvent. [Alamgiri, vol.1, pg.171; Durr-e-Mukhtar, vol.2, pg.15]

LAW 72: If the Faqeer owed someone, and he pardoned (wrote off) the entire loan, the Zakaat has been waived (on that amount), and if he pardoned (wrote off) a portion, then the Zakaat for that portion is waived, and if in this case he makes the Niyyat that all should be included as Zakaat, then this will not counted. If he was owed by a solvent person, and he pardoned all of it, the Zakaat is not waived, but he is still responsible (for its payment). If a Faqeer owed him and he pardoned all of it, and made a Niyyat that, 'This is the Zakaat for what such and such person owes me,' then in this case the Zakaat will not be discharged. [Alamgiri, vol.1, pg.171; Durr-e-Mukhtar, vol.2, pg.15/16]

LAW 73: If someone owed a person some money and he asked a Faqeer to collect it from that person, and then made the Niyyat of Zakaat for this, then after the Faqeer takes it into his possession the Zakaat is discharged. If the Faqeer owes him some money, and he wishes to give this money as Zakaat for his capital, in other words, he wishes to pardon it and so that it should become the Zakaat for his Maal (i.e. capital on which he is liable for Zakaat), then this cannot be done.

Note: In this entire translation, solvent or wealthy person will refer to one who is owner of Nisaab and insolvent will refer to one who is not the owner of Nisaab, i.e. the faqeer. [Razvi Noori]

However, he may give him his Zakaat amount (or goods etc.) and he may take from that whatever is owed to him, and if he refuses to pay (what is owed), he may take hold of his hand and snatch it (that amount which is owed to him). Alternatively, if he is not able to get it back even in this manner, he should present a case before the Qadi, saying that he is in possession of it (i.e. the said amount), but is refusing to pay. [Durr-e-Mukhtar, vol.2, pg.16]

LAW 74: Zakaat money (funds) cannot be used for Burial and Kafan etc. of a deceased or for constructing a Masjid, because in this case the (condition of) 'Tamleek-e-Faqeer' (making an insolvent Muslim owner of the Zakaat) is non-existent. If one wishes to spend for these purposes, then the manner to do so, is to make the Faqeer the Maalik (owner of the Zakaat), and he should spend (i.e. give) it (for this good purpose), and by doing so, both will receive Thawaab (reward) for it. It has been mentioned in the Hadith that if Sadaqa (charity) passes through a hundred hands, then all will receive the same Thawaab (reward), as the one who initially gave it, and there is no shortage in his reward. [Raddul Muhtar, vol.2, pg.16]

LAW 75: To give Zakaat openly, by announcing it is 'Afdal' (more virtuous), and to give Nafil Sadaqa secretly is Afdal (more virtuous). [Alamgiri, vol.1, pg.171]. The reason for it being (Afdal) to announce the Zakaat contribution is that by giving it secretively, it causes people to falsely accuse you or have misconceptions (that you did not pay your Zakaat), and announcing it will also encourage and inspire others (to pay their Zakaat), as they will see you doing this, and they too will attempt to do so. However, it is very important that there should be no boasting in this, because the Thawaab (reward) will be lost, and this (boasting) is really a sin, and the one who does this, is deserving of punishment.

LAW 76: When giving (i.e. paying) the Zakaat, it is not necessary to mention to the Faqeer that it is Zakaat, but simply making Niyyat of Zakaat is sufficient. If when giving it to him one says that it is a gift or that it is a loan, but one makes the Niyyat of Zakaat, then the Zakaat is still discharged. [Alamgiri, vol.1, pg.171]. Similarly, if one gave the money saying that it was a present, or money to buy Paan (betel leaf) or for sweets for the children, or Eidi (Eid gift), it will still be discharged. There are some needy people who are not comfortable with taking Zakaat money (even though they are deserving of it), so if they are told that it is Zakaat, they will not accept it, thus you should (in this situation) not mention (to them) the word Zakaat.

LAW 77: If one did not discharge his Zakaat and has now become ill, then (in this case) he should give it secretively by (hiding) this from his heirs. Alternatively, if he had not given it as yet and now wishes to give it, but he has no money to do so, and he wishes to take a loan to pay (the Zakaat), then in this situation if he is certain (i.e. there is predominant likelihood) that he will be able to pay off the loan, then it is better for him to take the loan and pay off the Zakaat. Otherwise, he should not do so, because in this regard the rights towards the servants (people) is more intense compared to the rights towards Allah. [Raddul Muhtar, vol.2, pg.17]

LAW 78: A Maalik-e-Nisaab may pay (his Zakaat) even before the completion of the year, on condition that he is still the owner of that amount of Nisaab at the completion of the year. Alternatively, if at the completion of the year, he did not remain Maalik-e-Nisaab, or if that capital (i.e. amount) of Nisaab was completely lost during the course of the year, then whatever he gave (in the beginning) will be counted as Nafil, and one who is not the owner of Nisaab cannot give Zakaat. In other words, if in future he becomes the owner of Nisaab, then

whatever he gave before this will not be deducted (calculated) from his Zakaat. [Alamgiri, vol.1, pg.172]

LAW 79: If a Maalik-e-Nisaab wishes to pay the Zakaat for few Nisaabs in advance, he may do so. In other words, if he is the owner of one Nisaab at the beginning of the year, and he gave the Zakaat of two or three Nisaabs, and at the completion of the year he became the owner of as many Nisaabs for which he already paid the Zakaat, then the Zakaat for all has been fulfilled. Additionally, if until the completion of the year he remained the owner of only one Nisaab, and he acquired more only after the completion of the year, then this Zakaat will not be deducted from it. [Alamgiri, vol.1, pg.176]

LAW 80: A Maalik-e-Nisaab can also pay the Zakaat for few years in advance. [Alamgiri, vol.1, pg.176]. Hence, it is advisable that one should give a little at a time towards payment of Zakaat, and at the end of the year one should do the calculation, and if the Zakaat has been fully discharged, then well and good, and if there is some shortage, then it should now be immediately paid, without any delay, because delaying (payment of Zakaat) is impermissible. It is also not allowed (once it is due) to pay a little at a time, but whatever is the shortfall should be paid immediately, and if one paid a bit more, then it should be included in the Zakaat of the following year.

LAW 81: If a person is the owner of one thousand and he gave Zakaat for two thousand with this Niyyat (intention) that, if by the completion of the year, I acquired another one thousand, then this is the Zakaat for that, otherwise it will be taken into account (i.e. deducted) from the Zakaat of the following year, then to do so is permissible. [Alamgiri, vol.1, pg.176]

LAW 82: If one is under the impression that he has five hundred rupees, and thus gave the Zakaat for five hundred rupees (Rands / dollars etc.), but later he realises it was only four hundred, then whatever he gave extra, he may calculate and deduct from the next year. [Khania]

LAW 83: If a person has both gold and silver, and before the completion of the year, he gave the Zakaat for one of them, then it is regarded as the Zakaat for both (i.e. towards payment for Zakaat of both as they are from the same type). In other words, if in the middle of the year (i.e. in the course of the year) one of it was lost, even if it is the one for which he intended the Zakaat, this then becomes the Zakaat for that which is remaining. Alternatively, if he has cows, goats and camels all to the value of Nisaab, and in the beginning he already paid the Zakaat for one of them, then in this case it is the Zakaat of what he intended to pay it for, and not for the others. In other words, if he intended the Zakaat for one thing (i.e. cows) and in the course of the year its Nisaab was depleted, it will not be counted as being the Zakaat for the others (i.e. for the goats and camels). [Alamgiri, vol.1, pg.172]

LAW 84: If a Faqeer who was given Zakaat in the course of the year became solvent at the completion of the year or if he died, or if (Allah forbid) he became a murtad (apostate), this will not affect the Zakaat in any way. It has been fulfilled.

Note: In this entire discussion on Zakaat wherever the words 'completion of the year' is mentioned, it refers to completion of a Zakaat year of an individual. For example, if a person became Saahib e Nisaab (Possessor of Threshold as per Shar'i stipulation) on the 1st of Ramadaan, then the completion of his year for that Nisaab is the following Ramadaan. This differs for every person, depending on when he first becomes Saahib e Nisaab. [Razvi Noori]

If the person on whom Zakaat is Waajib died, the Zakaat is waived, in other words, it is not necessary to give Zakaat from the wealth (he left behind).

However, if he made a Wasiyat (in this regard), then the Wasiyat (bequeath) can be fulfilled from one-third of his wealth, and if the sane adult heirs agree, then the Zakaat can be paid from his entire wealth. [Alamgiri, vol.1, pg.176]

LAW 85: If one has a doubt as to whether he gave Zakaat or not, then in this case he should give it now. [Raddul Muhtar, vol.2, pg.17]

ZAKAAT ON SA'IMAH (GRAZING LIVESTOCK)

Sa'imah, refers to that animal (livestock) which is left to graze freely for most of the year, and the aim is to only acquire its milk and to breed (i.e. take) its offspring, or to fatten it. [Tanweer, vol.2, pg.20]

If one brings home grass (hay) to feed it, or if the aim is to keep it (the animal) to carry loads, or for ploughing (etc.) or for any other such work, or to use it for riding, then in this case even if it spends its time grazing, it will not fall under the category of a Sa'imah, and Zakaat on it is not Waajib. Similarly, if it is kept to use its meat for eating, it is not Sa'imah, even though it may graze in the open (pastures etc). Likewise, an animal which is for trade purposes (business purposes), is also not counted as being Sa'imah, but its Zakaat will be paid based on its price (value). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.20]

LAW 1: If it grazes (freely) for six months and is fed hay for six months, it is not counted as Sa'imah, and if the intention was to feed it hay or to use it for some work, but one did not do this, and the year was completed, then the Zakaat on it is Waajib. Alternatively, if it was for trade (business) purposes, and it was kept grazing for six months or more, then until one does not make the Niyyat that it is Sa'imah, simply leaving it to graze (freely) will not qualify it as a Sa'imah. [Alamgiri, vol.1, pg.176/177]

LAW 2: If it (the animal) was purchased for trade purposes, and was then made Sa'imah, the time of Zakaat is calculated from that time (when it was intended as Sa'imah), and not from the time when he purchased it. [Durr-e-Mukhtar, vol.2, pg.21]

LAW 3: If before the completion of the year, the Sa'imah was sold in exchange of something, then if this commodity is something on which Zakaat is Waajib, and he did not have the Nisaab of that thing from previously, then the Zakaatable year for that commodity will commence from that time (when it came into his possession). [Durr-e-Mukhtar, vol.2, pg.21]

LAW4: There is no Zakaat on an animal which is made Waqf (i.e. a Shar'i endowment), and on horses used for Jihad. Similarly, there is no Zakaat on a blind animal or an animal whose fore or rear legs are cut off (severed). However, if a blind animal lives on grazing, (Zakaat) on it is Waajib. Likewise, if there is shortage in the Nisaab, and one has a blind animal, that if adding it (to his assets) it will complete the Nisaab, then the Zakaat is Waajib. [Alamgiri, vol.1, pg.177/178; Shaami, vol.2, pg.21]

Zakaat is Waajib on three types (i.e. categories) of animals, on condition that they are Sa'imah:

1. Camels
2. Cows (Cattle)
3. Goats (sheep fall in same category)

Hence, the remaining rules will be explained after explaining their Nisaab in detail.

ZAKAAT ON CAMELS

It is in Sahihain (i.e. Bukhari & Muslim) from Abu Sa'eed Al Khudri ﷺ that Rasoolullah ﷺ said, 'There is no Zakaat on less than five camels.'

The detailed explanation of this is present in that Hadith of Sahih Bukhari, which is reported by Hazrat Anas ﷺ.

LAW 1: Zakaat is not Waajib on less than five (5) camels, and when one has more than five (5) (camels), but less than twenty-five (25), then for every five (5), one (1) goat is Waajib (as Zakaat). In other words, for every five camels (below twenty-five) is one (1) goat, and if one has ten (10) camels then it is two goats (as Zakaat), based on this analogy. [General Books, Alamgiri, vol.1, pg.177]

LAW 2: The goat (sheep) given as Zakaat must not be less than a year in age. One may give a buck/billy (i.e. male goat) or a doe/nanny (i.e. a female), the choice is his. [Raddul Muhtar, vol.2, pg.22]

LAW 3: That which is between two Nisaabs is 'Afu' (absolved, i.e. not Zakaatable), in other words, there is no Zakaat on that. For example, if one has seven or eight camels, the Zakaat is still one goat. (Meaning that if it is between five and ten it is still one goat. It will only become two after it reaches ten). [Durr-e-Mukhtar, vol.2, pg.22]

LAW 4: If one has twenty-five (25) camels then he will give (in Zakaat) one (1) Bint Makhadh, in other words, a baby she-camel which has reached one year of age and is in its second year. This ruling is applicable for up to thirty-five (35), meaning one Bint Makhadh will be given. If one has thirty-six (36) to forty-five (45) camels, then the Zakaat is one Bint Labun, meaning a baby she-camel which has

reached the age of two years, and is in its third year. For forty-six (46) to sixty (60) camels, one must give one 'Hiqqah', meaning a she-camel which has already reached the age of three and is in her fourth year. For sixty-one (61) to seventy-five (75) camels, one must give one Jaz'ah, meaning a four year she-female camel, which is in its fifth year. For seventy-six (71) to Ninety (90) camels, one must give two Bint Labun. For ninety-one (91) to one hundred and twenty (120) camels, he must give two Hiqqah. Thereafter for up to one hundred and forty-five (145), one will give two Hiqqah, and for every further five (5) one will give one (1) goat. For example, for one hundred and twenty-five (125) camels, he will give two (2) Hiqqah and one (1) goat, and for one hundred and thirty camels (130), he will give two (2) Hiqqah and two (2) goats, and so on and so forth, based on this analogy. Then, for one hundred and fifty (150) camels, he will give three (3) Hiqqah. If he has more than this, then he will do as he did in the beginning, meaning for every five (5), he will give one (1) goat, and for every twenty-five (25) he will give one (1) Bint Makhadh, and for every thirty-six (36) he will give one (1) Bint Labun. This is the ruling for up to one hundred and eighty-six (186), and actually right up to one hundred and ninety-five (195). In other words, for this many he will give three (3) Hiqqah and one (1) Bint Labun. Then, for one hundred and ninety-six (196) to two hundred (200), is four (4) Hiqqah, and he also has a choice of giving five (5) Bint Labun. Then, after two hundred (200), the same system will be used which is the system used after one hundred and fifty (150), meaning for every five (5), is one goat, for twenty-five (25) is one (1) Bint Makhadh, for thirty-six (36) is one Bint Labun.

Note: In other words, for one hundred and thirty-five camels are two Hiqqah and three goats, in one hundred and forty are two Hiqqah and four goats, and in one hundred and forty-five are two Hiqqah and one Bint Makhadh. [Durr-e-Mukhtar, vol.2, pg.23]

Then from two hundred and forty-six (246) up to two hundred and fifty (250), is five (5) Hiqqah, and the rest is based on this analogy. [General books, Durr-e-Mukhtar, vol.2, pg.22/23]

LAW 5: In (paying) the Zakaat on camels, when a one year, two, three or four year old baby camel is given, it is necessary that it should be a she-camel (i.e. female). If a he-camel (i.e. male) is given, then it should be equal to the value of a she-camel, if not it will not be taken (i.e. it will not be accepted as payment).

ZAKAAT ON COWS (CATTLE)

Abu Dawud, Tirmizi, Nasa'i and Daarimi report from Muadh ibn Jabl ﷺ that when Nabi Kareem ﷺ appointed and sent him as the Governor of Yemen, He ﷺ said (to him), 'For every thirty cows (cattle) take one 'Tabee' or 'Tabee'a and for every forty take out one Musin or Musin'na.'

A similar Hadith is mentioned in another narration of Abu Dawud from Ameer ul Mo'mineen Maula Ali كرم الله وجهه and in that narration it is also mentioned that there is no Zakaat on work animals (i.e. animals used for work purposes like carrying loads etc.).

LAW 1: If there are less than thirty (30) cows, then Zakaat is not Waajib (compulsory, i.e. payable) on them, and when one has full thirty (30) cows, then the Zakaat for them is one (1) Tabee', meaning a one-year old calf (male i.e. bull), or one (1) Tabee'a meaning a one-year old calf (female i.e. cow). For forty (40) cows, the Zakaat is one (1) Musin, in other words, a two-year-old calf (male, i.e. bull) or one (1) Musin'na, meaning a two-year-old calf (female, i.e. cow). This rule applies for up to fifty-nine (59). Then for sixty (60) cows, the Zakaat is two (2) Tabee' or two Tabee'a. Then for every thirty (30) thereafter there is one (1) Tabee' or one (1) Tabee'a, and for forty (40) there is one (1) Musin or Musin'na. For example, in seventy (70) there is (Zakaat of) one (1) Tabee' and one (1) Musin, and in eighty (80) are two (2) Musin, and thereafter based on this same analogy. In which there can be both thirty (30) and forty (40), one has the choice of either giving the Tabee' or the Musin in Zakaat. In other words, in one hundred and twenty (120), one has the choice of either giving four Tabee' or three Musin. [General Books, Durr-e-Mukhtar, vol.2, pg.24]

LAW 2: A water-buffalo (i.e. which is called 'Bhens' in the Indo-Pak sub-continent) falls within the same ruling (i.e. category) as cows. If one has both cows and water-buffalos, they will be combined in (calculating) Zakaat. For example, if one has twenty (20) cows and ten (10) buffalos, Zakaat has become Waajib. Whey paying their Zakaat, the calf of the one which is more in number will be taken. In other words, if the cows are more, the calf will be taken from the cows and if the water-buffalo are more in number, then it will be taken from the water-buffalos. If neither is more in number, chose the one which is of medium quality, i.e. not as good as the best quality, but one which is better than the lowest quality. [Alamgiri, vol.1, pg.178]

LAW 3: One has a choice when dispensing the Zakaat of cows and water-buffalos. He may either pay the Zakaat using a male or a female, but it is Afdal (more virtuous) to give a female calf if the cows are more, and if the bulls are more, then a male calf should be given. [Alamgiri, vol.2, pg.178]

ZAKAAT ON GOATS

It is in Sahih Bukhari Shareef from Anas ﷺ that when Siddique e Akbar ﷺ appointed and sent him to Bahrain, he wrote the obligations of Sadaqa (charity) which were stipulated by Rasoolullah ﷺ. In it is also the Nisaab of goats, that neither an old female goat, nor a defective goat, nor a male goat should be taken. However, if the Musad'diq (one who is collecting the Sadaqa, i.e. Zakaat) wishes to, then he may accept (i.e. take) these. Also, due to the fear of (paying Zakaat), neither should the individual ones be combined, and nor should the combined be separated.

LAW 1: If one has less than forty (40) goats, then the Zakaat is not Waajib, and if one has forty (40) goats, the Zakaat for it is one (1) goat, and this is the ruling for up to one hundred and twenty (120). In other words, for up to one hundred and twenty (120) goats, the Zakaat is one (1) goat, and if one has one hundred and twenty one (121) goats, then the Zakaat is two (2) goats. In two hundred and one (201), the Zakaat is three (3) goats; in four hundred (400), the Zakaat is four (4) goats, and thereafter, there is one (1) goat on every one hundred (100) goats, and whatever is between the two Nisaabs is exempted. [General Books, Durr-e-Mukhtar, vol.2, pg.25]

LAW 2: In Zakaat, one has the option of either giving a male goat or a female goat, whichever it may be, it should not be younger than one year in age. If it is less (than one year in age), then it will be given according to the value. [Durr-e-Mukhtar, vol.2, pg.25]

LAW 3: Sheep are considered in the category of goats, so if the Nisaab is not completed by one, the other can be mixed to make up the Nisaab, and it can be given as Zakaat as well, but it should not be

younger than a year old (i.e. if there are thirty-eight goats and two sheep available, you can combine the sheep with the goats, to make up the Nisaab of forty). [Durr-e-Mukhtar, vol.2, pg.25]

LAW 4: In animals, the lineage is from the mother, so if a young is born from a buck and a goat, then the child will be considered to be from the goats, and if there is one animal short in completing the Nisaab (of the goats), then this young will be mixed with them to complete the count. If the young is from a male goat and a deer, then this will not be done. Similarly, if the young are the offspring of a female white antelope[1] and an ox, it will not be counted as a cow. However, if it is from a male white antelope and from a cow, it is counted as a cow. [Alamgiri, vol.1, pg.176]

LAW 5: Those animals on which Zakaat is Waajib should be at least a year old. If all of them are younger than a year old, then the Zakaat is not Waajib (on them), but if even one of them is a full year old, then all of them will be counted according to that one, and Zakaat will become Waajib. For example, if one purchased forty young goats that are each less than a year in age, then from the time of purchase until they reach a year, there is no Zakaat on them, because at that time they did not qualify to be counted for Nisaab, but the year will be counted from the moment the first one of them reaches a full year in age.

1: White Antelope is also known as the Asian Antelope, and commonly known as the Nilgai. [Razvi Noori]

Similarly, if he (the owner) already had in his possession goats which equal the Nisaab, and after six months passed, they had forty young ones, and the goats then diminished (in number) and only the young were left, then now on completion of that year, these young ones do not qualify in Nisaab, so the Zakaat on them is not Waajib. [Jauhira]

LAW 6: If a person has camels, cattle and goats, but all of them are less than the Nisaab, or if some are less in Nisaab, then in this case they will not be mixed (with the others) to complete the Nisaab, and the Zakaat will not be Waajib. [Durr-e-Mukhtar, vol.2, pg.46, etc.]

LAW 7: In (paying) Zakaat, the average animal (i.e. the average sized animal) will be taken. One should not pick and take the best (quality animal). However, if he has all good animals, then this should be taken. A pregnant animal and the one which has been fattened for eating purposes should not be chosen. Neither should that female be chosen which is suckling its young. A male goat should not be taken. [Alamgiri, vol.1, pg.177; Raddul Muhtar, vol.2, pg.30]

LAW 8: If one does not have the animal of the age which is Waajib upon him to give, but he has an animal which is older than that, he should give that away, and take in return whatever is extra. However, it is not Waajib upon the person who is collecting the Sadaqa (Zakaat) to accept it. If he does not accept it and he demands the animal which is Waajib on him, or if he asks for its value, then he has a choice in this matter. If one does not have the animal of the age which is Waajib upon him, but he has younger than that, then he should give that away (as Zakaat) and whatever is less, he should give the value of it, or he can give the amount of that animal which is Waajib upon him. He may do either of the two. [Alamgiri, vol.1, pg. 177]

LAW 9: There is no Zakaat on horses, donkeys and mules, even if they are kept grazing. However, if they are kept for business purposes, then in this case their value (amount) must be calculated and one-fortieth must be given in Zakaat (i.e. 2.5 %). [Durr-e-Mukhtar, vol.2, pg.25/26 etc.]

LAW 10: There is no Zakaat on that which is pardoned (exempted) between two Nisaabs. In other words, if after the completion of a year, if that which is in-between (i.e. the exempted number) is even lost, it will not make any impact or difference on the Zakaat, and if after it (Zakaat) becomes Waajib, if the Nisaab is lost, then even the Zakaat for this falls away (i.e. is waived). Also, the loss will first go towards that which is pardoned, and if something remains after this, then it will be from the Nisaab which is similar to it. Additionally, if it is still remaining (i.e. if is still due), then it will be from that Nisaab which is similar, and so on and so forth, based on this analogy. For example, if a person had eighty goats and forty died, so even now one goat is still Waajib (as Zakaat), because the next forty after the initial forty is exempted. If from forty camels fifteen died, then one Bint Makhadh is Waajib, because in forty, four are exempted, so this will be subtracted, and thereafter is the Nisaab of thirty-six, and even that is not sufficient, so eleven more should be subtracted, then twenty-five will remain, thus the ruling in this case is of one Bint Makhadh, and it is this which will be given (as Zakaat). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.27, etc.]

LAW 11: If two goats are Waajib in (payment of) Zakaat, but if one gave one fat goat which in value is equivalent to two (average) goats, then the Zakaat is fulfilled. [Jauhira]

LAW 12: If on completion of a year, if the Maalik e Nisaab himself destroyed his Nisaab, the Zakaat will not be waived. For example, he did not give the animals' food and water and they died, then in this case he will still have to pay the Zakaat. Similarly, if someone owed him money and the person who owes him is wealthy (solvent), and after completion of a year, if he forgave the debt, then this is also regarded as destroying your own Nisaab, so he will still have to give Zakaat. However, if he was insolvent (poor) and he forgave the debt, then in this case the Zakaat is waived. [Durr-e-Mukhtar, vol.2, pg.50]

LAW 13: After the year has ended (i.e. after completion of the Nisaab year), if a Maalik e Nisaab gave a loan, or gave something on loan or if he sold the trade goods in lieu of trade goods, and the one whom he has given this to has rejected this (i.e. he is saying it never happened), and he (the Maalik) now has no evidence (to prove this), or if he died and did not leave behind any inheritance (i.e. estate), then this does not fall within the category of destroying it (i.e. self-loss). Hence, the Zakaat has fallen away (i.e. it is now waived); alternatively, if after the completion of the year (Nisaab year), he sold the trade goods in lieu of non-trade goods, meaning the item which he took in lieu of it, was not for a business purpose; for example, he bought a slave for his services, or clothes to wear, or if he sold a Sa'imah in exchange for a Sa'imah, but the person is refusing this (i.e. he says the sale never happened), and he also has no witnesses (to this sale), or if he died and did not leave behind any inheritance, then this too is not counted in the category of being destroyed (i.e. lost), but it is something in which he caused the loss, so the Zakaat in this is Waajib. If on completion of the year (Nisaab year), he gave the trade goods as Mahr (Dowry) to his wife, or if a woman took Khula from her husband in lieu of her Nisaab, Zakaat must still be given. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.28/29]

LAW 14: He had Rupees/Ashrafis (i.e. money) in his possession over which a year has passed, but he has not given the Zakaat on it as yet, and in exchange for that he purchased some item for business, and that item is lost (i.e. he incurred loss), then in this case the Zakaat is void, unless he bought it at such a high price, that due to such loss, people will not purchase it, then the extra amount which he paid, over and above its actual price will still be Zakaatable and the Zakaat for that will not fall away, because in this case he actually caused the loss. If it is not intended for business purposes; for example, if he bought a slave for serving him and he died, then the Zakaat on that amount (money) will not be void. [Raddul Muhtar, vol.2, pg.28]

LAW 15: If the Muslim Ruler (even though he may be unjust or a dissident) takes the Zakaat of the Sa'imah, or if he collected the Ushr, and he used it for the appropriate purpose, then there is no need to repay it. Alternatively, if it was not used for the appropriate purpose, then it must be repaid, and if he collected Khiraj, then there is absolutely no need to repay it. [Durr-e-Mukhtar, vol.2, pg.32]

LAW 16: If the Sa'imah was sold in front (i.e. in the presence) of the 'Musad'diq' (one who collects the Sadaqa/Zakaat), then the Musad'diq has the choice of taking from it the amount which is for Zakaat, and in this case the sale will be complete. Alternatively, if he wishes he may take that animal which is Waajib (in Zakaat), and the animal which he took at that time will cause the sale to become 'Bai' Baatil' i.e. an annulled sale (i.e. an improper sale) for him (i.e. for the buyer). If the Musad'diq was not present there, but he arrived after both of them (i.e. the buyer and the seller) have left the 'Majlis Al Aqd' (i.e. the session of the contract i.e. sale), then in this case he is not permitted to take the animal. He should now take the value of the animal which is Waajib (as Zakaat). [Alamgiri, vol.1, pg.181]

Law 17: If one sold grain on which Ushr (one tenth is due) is Waajib, then in this case the Musad'diq has the right, to either demand the price of it from the 'Baa'i,' i.e. the seller or he may take that amount of grain from the 'Mushtari,' i.e. the buyer. This will apply whether the transaction took place in the presence of the Musad'diq, or whether he arrived after they separated. [Alamgiri, vol.1, pg.181]

Law 18: If there are eighty goats (80), then one (1) goat is for Zakaat. It cannot be such that they are made into two flocks of forty each, and then two goats are taken as Zakaat, and if two separate persons have forty goats each, then it is not allowed to put them together as one flock and then take only one goat as Zakaat. One will be taken from each of them as Zakaat (for his forty). Similarly, if one person has forty goats and the other person has thirty nine, then nothing will be taken from the one who has thirty nine goats. In brief, neither will that which is a single flock be separated, and nor will individual flocks be combined. [Alamgiri, vol.1, pg.181]

Law 19: Partnership in an animal does not influence the Zakaat, no matter what category it may be. If the share of each one of them (the partners) is equal to the Nisaab, then both will have to give their full Zakaat for which they are liable, as this is Waajib. If the share of one of them is equal to the Nisaab and the share of the other is not; for example, if one has forty (40) goats and the other has thirty (30) goats, then the one who has forty (40) goats must give one (1) goat as Zakaat and the other will not give any Zakaat. Alternatively, if neither of them has equivalent to the Nisaab, but if the animals are put together, it will make up the Nisaab, then in this case there is no Zakaat on either of them. [Alamgiri, vol.1, pg.181]

LAW 20: If eighty-one (81) people are partners in eighty (80) goats, in a manner whereby one person (from amongst them) has a share of half (i.e. a fifty percent share) in every goat (sheep), and for the other half of every goat, different individuals are the owners (to each of this half share), so all his (the first person's) shares put together equals forty (40 goats), and all (the rest) of them are only shareholders of half a goat each, then none of them (i.e. the owners of only half share each) will be liable for its Zakaat. [Durr-e-Mukhtar, vol.2, pg.47]

LAW 21: If Zakaat is paid on those animals which are shared, then each person is liable according to his share, and whatever has been paid more than the share, should be recovered from the partner. For example, if one has forty-one (41) goats and the other person has eighty-two (82) goats. The total of all the goats is one hundred and twenty-three (123), and if two (2) goats were taken out as Zakaat, meaning one (1) goat was taken from each, but because one is the shareholder of one-third, and the other is shareholder of two-thirds. Hence, in every goat, two-thirds of the two-third shareholder has gone (as Zakaat), the total of which is one-third and one goat. Additionally, in every goat one-third of the one-third shareholder has gone (as Zakaat), which in total is two-thirds, and one goat is Waajib upon him (as Zakaat). Therefore, the two-thirds shareholder is allowed to take one-third from the one-thirds shareholder. If there are eighty (80) goats and in them, one person is a two-third shareholder, and the other is a one-third shareholder, and if one goat was taken as Zakaat, then the shareholder of one-third, may recover the value of one-third of the goat, from his partner, as the Zakaat is on not Waajib upon him (on that one-third). [Raddul Muhtar, vol.2, pg.47]

ZAKAAT ON GOLD, SILVER AND MERCHANDISE

HADITH 1: It is in Sunan Abi Dawud and Tirmizi from Ameer ul Mo'mineen Maula Ali كرم الله وجهه that Rasoolullah ﷺ said, 'I have pardoned (exempted) the Zakaat on horses, bondsmen and handmaids, so pay Zakaat on silver, (one dirham) from every forty dirhams. There is nothing (to pay) on one hundred and ninety dirhams, but when it reaches two hundred dirhams, then pay five dirhams.'

HADITH 2: It is reported in another narration of Abu Dawud from the same narrator that, 'From every forty dirhams there is one dirham (to be paid), and until it does not reach two hundred dirhams, there is nothing (to pay), and when it reaches two hundred dirhams, then give five dirhams, and if it exceeds that (amount), then pay accordingly.'

HADITH 3: It is in Tirmizi Shareef from Amr bin Shu'aib who narrated from his father, who narrated from his grandfather, that two women came to the Beloved Rasool ﷺ and they were wearing gold bangles (bracelets) on their hands, so He ﷺ said, 'Do you pay the Zakaat for them?' They said, 'No.' The Beloved Rasool ﷺ said, 'Do you like that Almighty Allah should let you wear bangles of fire?' They said, 'No.' He ﷺ said, 'Then pay their Zakaat.'

HADITH 4: Imam Malik and Abu Dawud report from Ummul Mo'mineen Umm e Salma رضى الله تعالى عنها that she says, 'I used to wear gold jewellery.' I said, 'Ya Rasool'Allah ﷺ! Is this the 'Kanz' (the treasure, concerning which there has been warning in the Holy Qur'an)?'

He ﷺ said, 'That which reaches the threshold on which Zakaat must be paid, and the Zakaat has been paid (for it), is not 'Kanz'.'

HADITH 5: Imam Ahmed reports from Asma bint Yazid on the merit of it being a Hasan narration, that she said, 'My aunt and I presented ourselves before Nabi Kareem ﷺ, and we were wearing gold bangles (bracelets). He ﷺ asked, 'Have you paid its Zakaat?' We said, 'No.' He ﷺ said, 'Do you not fear that Almighty Allah will make you wear bangles of fire? Pay its Zakaat!''

HADITH 6: Abu Dawud reported from Samurah bin Jundub ﷺ that Rasoolullah ﷺ would command us to pay Zakaat for that which we have acquired for trade purposes.

LAW 1: The Nisaab (threshold) of gold is 20 Mithqal, in other words, seven and a half Tola (7 ½ Tola of gold) and two hundred dirhams of silver, in other words, fifty-two and half Tola (52 ½ Tola of silver). In other words, this refers to that Tola, which according to the current rupee (i.e. in the time or Sadrush Shariah) is 11 ¼ Masha. When dealing with gold and silver, the Zakaat is calculated by weight, and not by price (i.e. credence is not given to price of the item). For example, if one has made jewellery or a container which weighs 7 Tola in gold or less, and due to its design and crafting its price exceeds two hundred dirhams (i.e. more than 52 ½ Tola of silver in value), or if the price of gold is more expensive, and the value (price) of less than 7 ½ Tola exceeds the price of two hundred dirhams, just as nowadays, the price of 7 ½ Tola of gold will make many Nisaabs of silver. What is meant by this, is that if the weight does not add up to the Nisaab (i.e. the threshold stipulated for weight of gold and silver), Zakaat will not be Waajib, no matter what the price (value) may be. Similarly, if in payment for Zakaat of gold if one gave something in gold, and in

payment for Zakaat of silver, one gave something in Silver, then even in this case, it will not be based on its price but on its weight, even though a lot of crafting went into it, thereby inflating its price. Alternatively, let us assume that silver is selling at ten Aana[1], and one gives one rupee in Zakaat, which is counted as 16 Aana, then in paying the Zakaat, it will be understood that one gave 11 ¼ Masha in silver. The six Aana or slightly more which is extra in the price, is wasted. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.38-40]

LAW 2: This which has been mentioned that there is no credence given to price (i.e. value) in the payment (calculation) of Zakaat, is only applicable in the case when the Zakaat of that item is being paid for with the same type of item (i.e. gold with gold and silver with silver etc.). However, if the Zakaat of gold is being paid for with silver, and the Zakaat of silver is being paid for with gold, then it will be based on the price. For example, in payment for the Zakaat of gold, if one gave some item in silver which is worth one Ashrafi, then it will be regarded as payment of one Ashrafi, even though in weight it is not even worth 15 rupees. [Raddul Muhtar, vol.2, Pg.41]

LAW 3: If gold and silver are equal to the Nisaab (i.e. the stipulated threshold) then the Zakaat on it is one-fortieth, be they in their original form (i.e. gold and silver), or if they are in form of coins, such as Ashrafis (etc.), or if they are items made from them (i.e. from gold or silver), be this if their use is permissible, such as jewellery for females, or a silver ring with one stone for a male which does not

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1: An Aana was a currency unit formerly used in India, equal to 1/16 rupee. It was subdivided into 4 Paise or 12 Paais (thus there were 64 paise in a rupee and 192 paais). The term belonged to the Muslim monetary system. The Aana is not commonly used since India decimalised its currency in 1957. [Razvi Noori]

exceed 4 ½ Masha in weight, or gold or silver buttons which are not attached to chains. Alternatively, even if their usage is impermissible, such as gold and silver vessels (utensils), watches[1], Surmah (collyrium) holders (containers), or a Surmah applicator, the use of which is Haraam for both males and females; or gold and silver ring (without stone) for men, or jewellery (for men), or gold rings (for men), or more than one ring (for men), or a ring with numerous stones (for men). In other words, no matter what it may be (be it permissible or not) Zakaat is Waajib on all such items. For example, if one has 7 ½ Tola of gold, then 2 Masha in Zakaat is Waajib, or if one has 52 Tola 6 Masha of silver, then the Zakaat is 1 Tola, 3 Masha and 6 Ratti.[2] [Durr-e-Mukhtar, vol.2, Pg.41, etc.]

LAW 4: With the exception of gold and silver, any other thing which is meant for trade, and the value of which reaches the Nisaab of gold and silver, then Zakaat is also Waajib on this. In other words, one-fortieth of the price (2.5%), and if the value of these items does not make up the Nisaab amount, but with the exception of such items, one also has gold and silver as well, then the value of those items will be combined with the value of the gold or (and) silver. Additionally, if all added together makes up the value of Nisaab, then Zakaat is Waajib on it, and the value of the item should be counted in the currency which is most commonly used in that place, just as the Rupee is most commonly used in India, so it will be valued based on the Rupee.

1: Watch here does not mean women cannot wear gold or silver watches, but it means if worn not as jewellery but as apparel, it is not permitted.

2: The weights, Tola, Masha and Ratti are being used as it was the weight measure in the time of Sadrush Shariah. As per present weight system, all that we need to understand is that one will pay Zakaat of 2.5 % on the money, item or items which have reached the threshold of Zakaat.

Also, if at any place the currency is both in silver coins and gold coins, then in this case one has the choice of counting it in either of them, but in the case when it is calculated in cash (money) it does not reach the Nisaab amount but if it is calculated in Ashrafis (i.e. gold) it reaches the Nisaab, or vice versa, then in this case the value is based on the one through which Nisaab is reached. If the Nisaab is reached through both, but in one, with the exception of Nisaab, one-fifth part of the Nisaab is more, and this is not the case in the other one, then the value will be calculated based on that calculation which is equal to one Nisaab and one-fifth. [Durr-e-Mukhtar, vol.2, pages 41/42, etc.]

LAW 5: If one has valuables more than the Nisaab (threshold), then if this extra is one-fifth of the standard Nisaab, then Zakaat on this is also Waajib. For example, if one has two hundred and forty dirhams, meaning 63 Tola silver (as per the time of Sadrush Shariah), then it is Waajib to pay Zakaat of 6 Dirhams, meaning 1 Tola 6 Masha and $\frac{1}{5}$ Ratti must be added. In other words, after 52 Tola and 6 Masha, on every 10 Tola 6 Masha, 3 Masha 1 $\frac{1}{5}$ Ratti must be added. Alternatively, if one has 9 Tola gold, then it is 2 Masha 5 $\frac{3}{5}$ Ratti, meaning after 7 Tola and 6 Masha, on every 1 Tola and 6 Masha, 3 $\frac{3}{5}$ Ratti must be added, and if it does not reach the $\frac{1}{5}$ amount, it is exempted. In other words, if there is even one Ratti less than 9 Tola of gold, then Zakaat is (only) Waajib on that 7 Tola and 6 Masha. In other words, (the Zakaat) is 2 Masha. Similarly, if the silver is even one Ratti less than 63 Tola then the Zakaat which is Waajib, is only on that (initial) 52 Tola and 6 Ratti and that is 1 Tola 3 Masha and 6 Ratti. Similarly, whatever is more after the one-fifth portion, then if that is also one firth portion, then one-fortieth of that is Waajib, otherwise it is exempted, and so on and so forth based on this analogy (and system). The same ruling is on merchandise for trade. [Durr-e-Mukhtar, Vol.2, Pg.43]

LAW 6: If there is alloy mixed with gold or silver, and the gold or silver is more, then (all of it) will be counted (calculated) as gold or silver, and Zakaat will be Waajib on all of it. Similarly, if the alloy is equal to the gold or silver, then Zakaat is still Waajib on it. However, if the alloy (i.e. its quantity) is more than the gold or silver, then it is not regarded as gold or silver. However, there are few scenarios here; if the (quantity) of gold or silver found in it, is such that if separated then it will reach the Nisaab (the threshold), or if it (by itself) does not reach the Nisaab (threshold), but if one has with him other valuables that if this is added to it, then it will make up the Nisaab, or if it is something which is used as 'Thaman' (i.e. the price/value of something), and its value reaches Nisaab, then in all these cases Zakaat is Waajib. If none of these scenarios are found, and if it is intended for trade, then with the conditions of trade, it should be regarded as trade goods, and if its value is equal to Nisaab by itself, or if it adds up to the Nisaab amount after being combined with other things, then Zakaat on it is Waajib, otherwise not. [Durr-e-Mukhtar, Vol.2, Pg.43/44]

LAW7: If gold and silver have been mixed together, then in this case if the gold is more (in quantity), it will be regarded as gold. Alternatively, if both are equal, and the gold reaches the standard Nisaab, either by itself or after being mixed with the silver, it will still be regarded as gold. If the (quantity of) silver is more, it will be regarded as silver, and if it reaches the Nisaab, Zakaat will be paid on it as silver, unless there is such an amount of gold in it which is more than the price (value) of the silver, then in this case, all of it will be counted as gold. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, Pg.43]

LAW 8: If one has both gold and silver and both reach the complete standard Nisaab, then in this case it is not necessary to pay the Zakaat by counting the gold as silver or silver as gold, but the Zakaat of each is Waajib separately. However, if the one paying the Zakaat wishes to pay the Zakaat of both, with one thing, then he has the choice of doing so, but in such a case it is Waajib, that he should calculate it at the rate of that thing which is more beneficial to the Faqeers (i.e. the recipients of Zakaat). For example, in India, the common currency is the Rupee which is used more than the Ashrafi (i.e. gold coin), so in this case one will use the price of silver and calculate the Zakaat, and give the silver as Zakaat (i.e. in those days the Rupee coins were silver), and if from both (i.e. gold and silver) neither one reaches the standard Nisaab, then in this case, he should assume and convert silver to the value of gold and gold to the value of silver and mix them. Alternatively, even after mixing them together, if it still does not reach the standard Nisaab, then there is nothing (i.e. no Zakaat on them). If one adds silver to the value of gold, in silver, it reaches the standard Nisaab, and if one adds gold converted to the value of silver, to the gold, it does not reach the standard Nisaab, or vice versa, then it is Waajib to do that in which the standard Nisaab is reached. If the standard Nisaab is reached by both methods, then one has the choice to do as he wishes, except if through one method the Nisaab is inflated by one-fifth, then in this case, it is Waajib to use the Nisaab which is inflated by one-fifth. For example, if one has 26 ¼ Tola silver and one has 3 ¾ Tola gold, then if 3 ¾ Tola of gold comes to (the same value of, i.e. buys) 26 ¼ Tola of silver, and if the (value) of 26 ¼ Tola silver comes to (the same value of, i.e. buys) 3 ¾ Tola of gold, then one may regard the gold as silver or the silver as gold, but if one gets 37 Tola silver in lieu 3 ¾ Tola of gold, and for 26 ¼ Tola silver, one does not get 3 ¾ Tola gold, then in this case it is Waajib to regard the gold in the counting of silver, because in this way the standard Nisaab is reached. Also, it

actually inflates to one-fifth more, and in that (other method) even the standard Nisaab is not reached. Similarly, if each of them is slightly more than the Nisaab, then if the extra is one-fifth of the standard Nisaab, then Zakaat must be given on that (extra) as well, and if the extra in each is less than one-fifth of the standard Nisaab, then both should be mixed, and even after being mixed, if they still do not reach one-fifth of the Nisaab of any of them, then there is no extra (Zakaat) on the this extra. Alternatively, if both reach the Nisaab or one-fifth (more) of the standard Nisaab, then one has the choice, except in the case when one (of them) reaches the full standard Nisaab and the other reaches one-fifth of the standard Nisaab, then in this case one should use that method which reaches the standard Nisaab. Alternatively, if one (of them) reaches Nisaab or the one-fifth, and the other does not, then it is Waajib to do that in which Nisaab or one-fifth of Nisaab is reached. [Durr-e-Mukhtar, Raddul Muhtar, Vol.2, pg.45/46, etc.]

LAW 9: When money is used as common currency and is in circulation, and it is equal to the value of two hundred dirhams or 20 Mithqal (i.e. it is equal to the current standard Nisaab 52 ½ Tola of Silver or 7 ½ Tola of Gold), then Zakaat on that is Waajib, even if it is not for trade purpose. Alternatively, if that currency is redundant (not in use anymore), then unless it is not used for trade purposes, Zakaat on it is not Waajib. [Fatawa Qaari Al Hidaya]. Zakaat on notes is also Waajib, for as long as they are common and in circulation as this too is regard as 'Thaman e Istilahi[1]', and the ruling is the same as any (other) money (i.e. coins).

1: In other words, it is Thaman, which in reality is 'Mata' (i.e. goods), but the terminology of the people has made it Thaman.

Law 10: The Zakaat regarding the amount which is owed[1] to you by someone, and (the rulings as to) when Zakaat becomes Waajib on it, and when it is regarded as paid, is in three categories:

Dayn e Qawi

The first category is if it (i.e. the amount owed to you, i.e. the debt) is 'Dayn e Qawi' (i.e. a secure loan), such as a loan which in common terms is also called 'current loan' or a 'short term loan,' and it is the 'Thaman' of merchandise (trade goods). For example, if one bought goods with the intention of trade, and he sold it on credit to someone, or if it is the rent of something intended for business purposes. For example, if one purchased a house (building /warehouse etc.) or land with the intention of business, and he has rented it to someone to live in, or to use it for cultivation etc., then if this rent is owed to him, it will be regarded as Dayn e Qawi (secure), and the Zakaat on Dayn e Qawi, as long as it is still owed, will be Waajib (i.e. due) year after year. However, it is only Waajib to pay it, when one-fifth of the standard Nisaab amount is already received. Actually, only the Zakaat on that amount is Waajib (due), which has already been received. In other words, if one receives forty dirham (i.e. the amount equal to one fifth of the current Nisaab amount) then he must pay one dirham in Zakaat, and if he received eighty dirhams, then he will pay two dirhams, and so on and so forth based on this analogy (and system).

1: Here, 'Dayn' The amount owed does not absolutely refer to a debt, but it refers to every such 'Maal' (form of wealth), which for whatever reason, the liability for which a person is regarded responsible.

Dayn e Mutawas'sit

The second category is Dayn e Mutawas'sit (i.e. a partially secure loan). Dayn e Mutawas'sit is when some entity which is not for trade purposes is transformed. For example, if one sold the grains which were meant for home use, or a horse which is used for (personal) transport, or the slave who is for your service, or any other item which is from Haajat-e-Asliyah (a person's basic essentials), and the amount is still owed by the buyer. Then in this case, Zakaat will only be necessary when one receives and has possession of two hundred dirhams (i.e. the amount which is equal to the current standard Nisaab). Likewise, if he received the 'Dayn' of a testator, as inheritance (i.e. that which was owed to the testator was passed over to him), even though it was in lieu of trade goods, then in this case, after the heir receives two hundred dirhams (i.e. the amount which is equal to the current standard Nisaab) and after a year passes since the death of the testator, to give Zakaat (on this) will be necessary.

Dayn e Da'eef

The third category is Dayn e Da'eef (An Insecure Loan), meaning that which is in lieu of other than 'Maal' (valuables / merchandise), such as Mahr (Dowry), Badal e Khula (Exchange payment for Khula), Diyat (Blood money), Badl e Kitaabat (Exchange for Freedom of a slave), or if one bought a house or shop without the intention of selling it (i.e. not for trade), and its rental is owed by the tenant, then to give Zakaat on this will only be Waajib (i.e. it will only be due) once a year passes after having possession of the standard (current) Nisaab. Alternatively, if one has some Nisaab of that same type of thing, and its full year comes to completion, then Zakaat on it is Waajib.

If one only receives the Dayn e Qawi and Dayn e Mutawas'sit after many years has passed, then the Zakaat of the past year which he was responsible for, will be added to the account of the next year on that same amount. For example, Amr owed Zaid three hundred dirhams in Dayn e Qawi, and after five years, he received less than forty dirhams (i.e. less than 1/5 of the Nisaab amount), then there is no Zakaat due on that, and if he received forty dirhams (i.e. 1/5), then he must pay one dirham (as Zakaat). Now he has 39 dirhams remaining (as he has paid one dirham from the forty dirhams as Zakaat), which is now regarded as less than one-fifth of the standard Nisaab, thus the Zakaat of the past years is not Waajib upon him as yet. If the amount being owed was three hundred dirhams which is Dayn e Mutawas'sit, then unless he does not receive two hundred dirhams, he is not liable to pay anything (as Zakaat on it), and after five years if he received two hundred dirhams, then twenty-one dirhams is Waajib on him. For the first year it was five (dirham), so now for the second year it will be one hundred and ninety-five, and from it, thirty-five (dirhams) which is less than one-fifth (of the standard Nisaab), is exempted, so he remains with one hundred and sixty (dirhams), and from it, four dirhams is Waajib (as Zakaat). Then in the third year, one hundred and ninety-one dirhams is left (because he was left with one hundred and fifty-six dirhams plus the thirty five dirhams which was exempt in year two due to it being less than the extra one-fifth. Hence, in the third year he has one hundred and ninety-one dirhams) and even from that (one hundred and ninety-one) four dirhams (Zakaat) is Waajib. In year four, one hundred and eighty-seven dirhams are left, and in year five, one hundred and eighty-three dirhams remained, and even for them, four dirhams for each (year, i.e. for the fourth and fifth year) is Waajib as Zakaat. Therefore, all in all, it is Waajib to pay twenty-one dirhams (in Zakaat for all five years). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.47/50]

LAW 11: If the year of Nisaab was already active before the Dayn (loan/amount owing to you), then the amount which is owed by someone in the course of that (Zakaatable) year will also be counted as the same year, which was already running (i.e. active) from before, and not from the time of the loan. Alternatively, if before that loan, the (Nisaab) year of that particular entity was not already active, then it will be calculated from the time of the loan (Debt which is owed to you). [Raddul Muhtar, vol.2, pg.49]

LAW 12: If someone owes you an amount which is regarded as Dayn e Qawi or Dayn e Mutawas'sit, and the debtor dies, then the Wasiyat of the Zakaat for that debt at the time of his death is not necessary (upon him), because that Zakaat was not really Waajib (due) to pay (at that time). Also, the Zakaat upon the heir will only be applicable when a year passes after the death of the Testator, and after he receives forty dirhams in Dayn e Qawi (i.e. one-fifth of Nisaab), and two hundred dirhams in Dayn e Mutawas'sit (i.e. the amount equal to the full standard Nisaab). [Raddul Muhtar, vol.2, pg.49]

LAW 13: After a full year, if the creditor pardons the debt (or loan etc.), or before the completion of the (Zakaatable) year, he gave the Zakaat amount away as a gift, the Zakaat has been waived. [Durr-e-Mukhtar, vol.2, pg.50]

LAW 14: If a woman received her dowry (Mahr) amount, and after a year passed, the husband gave her Talaaq without having intercourse with her, then she will have to return half the Mahr, and Zakaat is (still) Waajib on the full amount. The Zakaat on this amount received by the husband will be Waajib (due) on him after a year passes over it, from the time of receipt. [Durr-e-Mukhtar, vol.2, pg.50]

LAW 15: If a person acknowledges that a certain person owes me (some amount), and he has also given it to him, but after a year both of them say that there was no debt (i.e. nothing was owed), then Zakaat is not Waajib upon any one of them (for this). [Alamgiri, vol.1, pg.182]. However, what is obvious is that, this is in the case when he had assumed that there was a debt, because if he makes this excuse simply to have the Zakaat waived, then he will be held accountable in the Court of Allah.

LAW 16: After a year passes on trade goods (i.e. merchandise), Zakaat on it is due as per its current value, but the condition is that at the beginning of the year it should not have been worth less than two hundred dirhams (i.e. it should not be less than that of the standard current Nisaab). If it (the merchandise) is made up of different entities, then the value of all put together should either make the equivalent of 52 ½ Tola of silver, or 7 ½ Tola of gold. [Alamgiri, vol.1, pg.179]. In other words, this is when he has only these valuables (merchandise etc.); and if with the exception of this, he still has gold or silver (or gold and silver), then he should combine altogether.

LAW 17: After a year has passed, if grain or any other trade goods to the value of two hundred dirhams (i.e. Nisaab) is in your possession, but the (market) rate of the said item has fluctuated (gone up and down), then if one wants to give Zakaat from that, then he should give one-fortieth (i.e. 2.5 %) of whatever was its value on that day.

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* Here 'Dayn' does not only refer to the absolute loan, but it refers to every such valuable, which for whatever reason is Waajib upon a person (to pay).

* In this section, the 'Dayn' (loan) refers to the debt which is owed to you.

Alternatively, if one wishes to give something else equal to its value (in Zakaat), then that value must be used, which was applicable on the day which marked the completion of its (Zakaatable) year. If that object was wet on that day when it's (Nisaab) year was completed, but it has now become dry, then too the same value will be used (which was on the day when the year completed). Also, if it was dry on that day, but today it has become wet, then the value of today will be taken. [Alamgiri]

LAW 18: The price (value) must be calculated based on the place (location) where the goods are being kept. If the goods are in the wilderness (unpopulated place), then it will be calculated based on its values at the populated locality which is closest to it. [Alamgiri, vol.1, pg.180]. It is obvious that here such merchandise are being referred to, which cannot be bought (i.e. sold), in the wilderness. However, if the buyer does go into the wilderness (to buy such things), such as wood, and those things which grow there, then for as long as the merchandise are kept there, the price (value) of it will be according to that place (location).

LAW 19: If one has 'Degs' (Pots) which one gives out on rent (i.e. on hire), then there is no Zakaat on those pots, and the same applies to houses which are on rent (i.e. there is no Zakaat on that actual property which is on rent). [Alamgiri]

LAW 20: If one has a horse business, and he purchases cloth which is used on the back of the horse, or if he buys reigns and ropes etc. for it, so that it may be used for the safety of the horse, then there is no Zakaat on these. However, if he bought it so that the horse may be sold with all these items, then there is also Zakaat on them as well. If a baker bought wood to cook (bake) bread, or if he bought salt to add to

the bread, then there is no Zakaat on them, but if he purchased sesame seeds to sprinkle on the bread, then the Zakaat on the sesame seeds is Waajib. [Alamgiri, vol.1, pg.180]

Law 21: If a person gave his house on rent for three years, at a rental income of three hundred dirhams per annum, and he has nothing else (on which to pay Zakaat), and whatever comes as rental, he keeps it aside (i.e. he saves it), then after eight months pass, he will become the owner of Nisaab, because the rentals of eight months will add up to two hundred dirhams (i.e. to the standard current Nisaab in this scenario). Hence, from today, his Zakaat year has commenced (i.e. one year from now the Zakaat will be due), and on completion of the year, he will give Zakaat on five hundred dirhams, because the rental for twenty months equals to five hundred dirhams (i.e. for the 12 months of the Zakaat year, plus the initial 8 months rental). Now if another year passes thereafter, then he will give Zakaat on eight hundred dirhams, but for the first year's Zakaat, he will give twelve and a half dirhams less. [Alamgiri] Actually in eight hundred dirhams, Zakaat will be Waajib on forty dirhams less, because there is no Zakaat on less than forty dirhams, as that is exempted.

Law 22: A person has only one thousand dirhams and he has no other wealth (i.e. capital etc.). He has taken a house on rent for one hundred dirhams per year, for ten years, and he has given the complete payment (in advance) to the owner of the house, so in the first year he will give Zakaat on nine hundred dirhams, because the one hundred dirhams has gone as the rent for the year. In the second year, he will give Zakaat on eight hundred dirhams, but in actual fact from the Zakaat of the first year he will subtract twenty two and a half dirhams from the eight hundred dirhams (as twenty-two and a half dirhams was the Zakaat he already paid in the first year from that

amount) and then pay Zakaat on the balance. Similarly, every year he will subtract one hundred (for the rental of that year) and the Zakaat amount that he paid the previous year, and then pay Zakaat on the balance. Further, if the owner of the house has no other valuables, except for that one thousand, then for two years, he is not liable for any Zakaat (i.e. because only after two years will he be the owner of 200 dirhams being the standard Nisaab). Now, after two years pass, he is the owner of two hundred (i.e. whatever is the standard Nisaab), and at three years he will give the Zakaat on three hundred dirhams. Likewise every year, he will pay on a hundred more, but this will be after deducting the Zakaat paid for the past years, so Zakaat will be on whatever is Waajib thereafter. In the same manner, if a person gave a handmaid to him to the value of the rent, Zakaat is not Waajib on the tenant, but the owner of the house is still liable, as he would be in the case of (being paid in) dirhams. [Alamgiri, vol.1, pg.182]

LAW 23: If for businesses purposes one purchased a valuable slave for two hundred dirhams who was worth two hundred Dirhams, and the payment was made to the seller, then in this case if he has not as yet taken possession of the slave, and a year has passed, and the slave dies at the place of the seller, then both the buyer and the seller are liable for Zakaat on two hundred dirhams each. Alternatively, if the slave was worth less than two hundred dirhams, and the buyer purchased the slave for two hundred dirhams, then the seller will give Zakaat on two hundred dirhams and the buyer is not liable for anything. [Alamgiri, vol.1, pg.182]

LAW 24: If one sold a slave meant to serve, for one thousand and he also collected the payment, then after one year it was ascertained that the slave has some defect, and the slave was thus returned, be this on the order of the Qadi, or if he took him back on his own free will, he will give Zakaat on one thousand. [Alamgiri, vol.1, pg.182]

LAW 25: In place of money, if one gave food, grain or clothing etc. to a Faqeer (Zakaat recipient), and in doing so he made him the Malik (owner) of it, the Zakaat will be fulfilled. However, its Zakaat must be based on the price or value of that item which is the current market rate. Additional costs, such as the amount which was paid to a labourer to carry it from the marketplace, or if he brought it in from the village, then the transportation costs and levies etc. should not be deducted. Alternatively, if the item was cooked and given, then the price of cooking and the wood etc. (used for cooking) should not be deducted. It will be calculated based on what that cooked item costs in the market. [Durr-e-Mukhtar, Alamgiri, vol.1, pg.179]

THE AASHIR
(I.E. THE CUSTOMS OFFICER)

LAW 1: An Aashir is one whom the Badsha e Islam (i.e. Muslim King / Ruler) has appointed on the road to collect the dues (i.e. duties) from traders (merchants etc.) who pass by with commodities. The condition for an Aashir is that he should be a Muslim, Hur (free-man), non-Hashmi, and he should have the power and ability to protect the wealth (or commodities) from thieves and bandits. [Bahr, Shaami, vol.2, pg.51/52; Alamgiri, vol.1, pg.183]

LAW 2: If a traveller who is passing through says that one year has not elapsed as yet on the commodities which he is currently carrying and on whatever he has at home; or if he says that he did not make the Niyyat (intention) of trade (business) in it, or if he says that the commodities are not his, but have been kept in trust in Mudharabat, (then) on condition that it does not bear such a profit, that his share (in the Mudharabat) reaches Nisaab. Alternatively, if he says that he is an labourer (i.e. an employee of the owner), or Mukatib or Mazoon, or if he simply says, that there is no Zakaat due on these commodities, even though he may not mention the reason for this, or if he says that, I am in debt which is equivalent to these commodities, or it is of such an amount that if I deduct it, the standard Nisaab will not remain, or if he says that he has already paid the dues to another Aashir, and the one whom he says that he paid is really an Aashir. And even this Aashir knows that the said person who is being mentioned is also an Aashir, or if he says that he already paid the Zakaat to the legal recipients (Faqeers) in the city, and he also takes an oath to the effect of his statement, then his word will be taken. There is no need to ask him for any receipt (i.e. proof of payment), because a proof of payment could also be fake, and sometimes in forgetfulness one does

not take a receipt, and at times it gets lost, and even if he does produce a receipt and the name of the Aashir which is on it does not match the name which he mentions, he will simply be asked to take an oath and his word will be accepted. However, after few years pass by, it is established that he has lied; then the Zakaat will (now) be collected from him. [Alamgiri, vol.1, pg.183; Raddul Muhtar, vol.2, Pg.53/54]

LAW 3: If a year has not as yet elapsed on the commodities which he has, but a year has passed on what he has at home, and those commodities can be combined to these commodities, then in this case his word will not be taken. Likewise, if he claims having paid the dues to an Aashir, whom he (this Aashir) does not know, or if he says that he gave the Zakaat to some bud-mazhab (deviant), or he says that he did not give it to the legal recipients (i.e. the Faqeer) in (his) city, but he went out of the city to give it to someone, then in all these cases his word will not be taken. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.53]

LAW 4: His word will not be taken (i.e. will not be accepted as reliable) in the case of Sa'imah or Amwal al Baatina (hidden wealth). In those cases, wherein the word of a Muslim is regarded as acceptable, in such cases even the word of a Zimmi Kaafir (i.e. a non-believer living under the legal protection of the Muslim Empire) will be regarded as acceptable, except for the case where he says that he has given it to the Faqeers in the city, because in this case, his word will not be taken. [Durr-e-Mukhtar, vol.2, pg.54]

LAW 5: The word of a Harbi Kaafir (a non-zimmi, i.e. unbeliever in a non-Muslim State) is not regarded as reliable at all, even if he presents witnesses to support what he is saying. However, if he claims that a slave girl is Umme Walad (a female slave who gave birth to a child

accepted by her master as his offspring), or if he says that the slave is his son, and his age is such that he can be regarded as his son, or if he says that he has given them to someone else, and the one whom he claims to have given them to is present there, then in such issues, even the word of a Harbi will be accepted. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.55]

LAW 6: If someone passes by with commodities less than two hundred dirhams (in value, i.e. less than the standard Nisaab), then in this case the Aashir will not collect anything from him (as payment), be he a Muslim, Zimmi or Harbi, and this is if he knows or not whether he has more commodities at home. [Alamgiri, vol.1, pg.183]

LAW 7: He (The Aashir) will collect one-fortieth portion from a Muslim, one-twentieth portion from a Zimmi and one-tenth portion from a Harbi. [Tanweer, vol.2, pg.56]. One-tenth will be collected from the Harbi only in the case where it is not known how much the Harbis have collected from Muslims. However, if it is known, then the Harbi will be charged whatever they (the Harbis) charged the Muslims. However, if the Harbis took all the commodities (merchandise) of the Muslims, then the Muslims will not take all his commodities, but they will leave him with enough with which he can reach his destination. If the Harbis did not charge the Muslims anything, then the Muslims will also not charge them anything. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.56]

LAW 8: Nothing will be collected from Harbi children and from those who are Mukatib, except in the case where the Harbis took from the Muslim children and Mukatib (a slave who is under bond with his master to pay for his freedom in instalments, and the slave also

accepts this), then in this case the Muslims will also charge them. [Durr-e-Mukhtar, vol.2, pg.56]

LAW 9: If it (i.e. the duty) was collected once from a Harbi, then in that same year, it will not be collected from him again, unless after collecting from him, he went back to the Darul Harb. When he returns from the Darul Harb, it will be collected from him again. [Tanweer ul Absaar, vol.2, pg.56]

LAW 10: If a Harbi entered the Darul Islam and then went back (to Darul Harb), but the Aashir was not aware of this, then if he enters for the second time, it (i.e. the duty) should not be collected from him for the first time. However, if he was unaware of the entry and exit of a Muslim or Zimmi, then if he enters again, he should charge (the duty) for the first time as well. [Durr-e-Mukhtar, vol.2, pg.56/57]

LAW 11: If the Malik (Master) of a Mazoon (i.e. licensed or privileged slave whose master has permitted him to trade), is accompanying him, and he is not in such a debt which has immersed him and his wealth, then the Aashir will take (the duty) from him. [Durr-e-Mukhtar, vol.2, pg.58]

LAW 12: If one passes by the Aashir with such a commodity which will easily be spoilt, such as fruits, vegetable (greens), musk-melon, water-melon or milk etc., then even if their value adds up to the standard Nisaab, the Ushr (one-tenth due on crops) will not be collected from such persons. However, if there are Fuqara (recipients of the Zakaat) present there, it will be collected and distributed to them. [Alamgiri, vol.1, pg.184; Durr-e-Mukhtar, vol.2, pg.58]

LAW 13: If the Aashir assumed the commodities in excess and he collected the Zakaat for it, but later he realised that the commodities were not of that value, then whatever extra he collected will be calculated in the next years. If he intentionally took more, then it will not be calculated in the Zakaat, as this is an injustice. [Khania]

MINES AND BURIED TREASURE

It is in Sahih Bukhari and Muslim from Abu Hurairah ﷺ that Rasoolullah ﷺ said, ''Khums' One-fifth is due from mines (and buried treasure).'

LAW 1: If iron, lead, copper, brass, gold, or silver comes out of a mine, a one-fifth portion will be taken from it, and the remainder will be given to the one who acquired it, be this if the one who found it is a free-man, a slave, a Muslim or a Zimmi, be it a male or female, Baaligh or Na-Baaligh, and whether the land from which these things were discovered is a Khiraji (taxed land) or an Ushri land (in which one-tenth must be paid). [Alamgiri, vol.1, pg.184]

This is in the case when the land does not belong to anyone (i.e. not owned by any person). For example, it is a forest (jungle/wilderness), or a mountain. However, if it is owned by someone (i.e. it is somebody's property), then all of it will be given to the owner of the land, and even the one-fifth will not be taken. [Durr-e-Mukhtar, vol.2, pg.62]

LAW 2: There is no 'khums' one-fifth in turquoise gemstones, rubies, emeralds and other gemstones (which are found), (and in) collyrium, alum, lime, pearls and flowing agents like salt etc. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg. 62/63]

LAW 3: If a mine was discovered in a shop or in a house, the one-fifth will not be taken. Everything (which was found) will be given to the owner. [Durr-e-Mukhtar, vol.2, pg.62]

Law 4: If turquoise gemstone, rubies, emeralds and other gemstones were buried before Muslim Rule, and they have now been unearthed (found), then in this case one-fifth will be taken, as it is regarded as Maal e Ghaneemat (spoils of war). [Durr-e-Mukhtar, vol.2, pg.63]

Law 5: Pearls or anything else, which comes out of the sea (or river), even if it is gold which is on the surface of the water, all belongs to the one who found it, on condition that there is no Islamic insignia on it. [Durr-e-Mukhtar, vol.2, pg.63]

Law 6: Any buried treasure which has Islamic insignia on it, be it cash, weapons or household goods etc, will all be counted under the ruling of lost (i.e. abandoned) property. In other words, it must be announced in the Masjids and marketplaces for such a period of time (i.e. for as many days) until such there is predominant likelihood, that now there is none who is looking for it. Thereafter, it should be given to the destitute (needy), and if the person (who found) it, is himself a Faqeer (an insolvent person deserving Zakaat), then he may use it for himself. If these items have the insignia of kufr, for example; pictures (i.e. carvings etc.) of idols, or if the name of a kaafir king is written (or inscribed etc.) on it, then one-fifth will be taken from it, and the rest will be given to the person who found it. This applies whether he found it in his own land, or in the land of someone else, or on a lawful land. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.63]

Law 7: If a Harbi Kaafir removed a treasure trove, then nothing will be given to him, and whatever he took from it must be taken back from him. However, if he dug it out on the command of the Muslim King (Ruler), then whatever was agreed should be given to him. [Alamgiri, vol.1, pg.185]

LAW 8: If two people worked to unearth a treasure trove, then after removing one-fifth, the remainder must be given to the one who found (discovered) it, even though both of them worked on it in partnership, because this is regarded as an invalid partnership (Shirkat e Faasida). Additionally, if in partnership they both found it, and it is not known how much each one found, then both are equal partners in it (i.e. 50/50), and in the same case, if one found it and the other helped (in removing it), then it belongs to the one who discovered it, and the helper will be paid a wage for his labour. In addition, if the labourer was employed to remove and search for treasure, then whatever is unearthed belongs to the labourer. In this case, the Mustajir (Hirer/ Employer) will get nothing because this is regarded as Ijaarah e Faasida (An invalid contract). [Raddul Muhtar, vol.2, pg.64]

LAW 9: If there is neither any Islamic insignia nor any insignia of kufr on the buried treasure, it will be regarded as being from the time (era) of kufr. [Alamgiri, vol.1, pg.185]

LAW 10: Whatever is unearthed from the desert of a Darul Harb, be it minerals or buried treasure, one-fifth is not applicable in it. Rather, all of it will be given to the one who found it. If many people after gaining an upper hand, removed and brought it, then one-fifth will be taken from it, as this is regarded as Ghaneemat (Spoils). [Durr-e-Mukhtar, vol.2, pg.64]

LAW 11: If a Muslim took refuge in a Darul Harb, and there he unearthed buried treasure or a mine from land owned by someone, then in this case he should return it to the land owner. If he did not return it and brought it back into the Darul Islam, then he is regarded as the owner of it. However, this is regarded as illegally acquired

wealth, and must thus be distributed (amongst the needy), and if he sold it, then the sale is legal, but it is also regarded as illegally acquired property for the buyer as well. If he did not enter (the Darul Harb) with refuge, then this property (commodity) is Halaal for him, there is no need for him to return it, and one-fifth will be taken from it. [Alamgiri, vol.1, pg.185; Durr-e-Mukhtar, vol.2, pg.65]

LAW 12: The one-fifth is the right of the destitute (Miskeen) which the Muslim King (Ruler) should distribute amongst them, and if one personally gave it to the destitute, it is also permissible to do so. If the king is informed of this, he should keep it as it is, and he should authorise its distribution. If he is personally a Miskeen (destitute person), then he may use for himself as per his need, and if after removing one-fifth, there is still enough remaining which is equal to two hundred dirham (i.e. equal to current standard Nisaab), he cannot now use one-fifth for himself, because he is now not regarded as a Faqeer. However, if he is a debtor and after deducting the amount for the debt, he does not remain with the equivalent of two hundred dirham (i.e. the current standard Nisaab), then in this case, he may use the one-fifth for his own needs. If he gives one-fifth to his mother, father or children who are Miskeen, then too it is permissible. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.65]

ZAKAAT ON CROP AND FRUIT

Almighty Allah says,

وَاٰتُوْا حَقَّهٗ يَوْمَ حَصَادِهٖ

'And given (i.e. pay) its dues on the day it is harvested.'
[Surah Al An'aam (6), Verse 141]

HADITH 1: It is in Sahih Bukhari Shareef from Ibn Umar رضی اللہ تعالی عنہما that Rasoolullah ﷺ said that, 'For that land which is watered (irrigated) by the skies or the streams, or if it is Ushri, (in other words), it is irrigated with water from rivers (and channels), then on such land Ushr (one-tenth) is due, and for those lands which are irrigated by water that you bring by loading on animals (etc.), then on it is due half Ushr, i.e. one-twentieth.'

HADITH 2: Ibn Naj'jar reports from Anas رضی اللہ عنہ that Rasoolullah ﷺ said, 'From every that thing which sprouts from the land (ground), Ushr or half Ushr is due.'

Land is of three types:

1. Ushri (that land in which the one-tenth must be paid)

2. Khiraji (taxed land)

3. Neither Ushri nor Khiraji

The ruling concerning 1 & 3 is the same; in other words, Ushr (one-tenth) must be paid.

In India, the lands of the Muslims will not be regarded as Khiraji, until it is not proven with evidence of the Shariah that a particular land is (in the category of) Khiraji.

There are many cases wherein it will be regarded as Ushri. For example, if Muslims conquered a place and the land was distributed amongst the Muslim soldiers, or if the people there became Muslims themselves, and there was no need to fight a battle. Alternatively, if there was an unused land that is (already) Ushri, and it was used for cultivation purposes, or if that unused land was made a field (for planting) which is equally near or distant from land that is Khiraji and Ushri, or if that field was irrigated by water which is Ushri, or from that which is both Khiraji and Ushri. Alternatively, if a Muslim turned his house into an orchard or field and irrigates it with Ushri water, or he does so with both Ushri and Khiraji (water), or if a Zimmi Kaafir purchased an Ushri land, and a Muslim has taken it as Shuf'ah (i.e. on the basis of the law of pre-emption/amalgamation), or Bai'e Faasid (illegal sale) has occurred, or due to Khiyar e Shart (Option of Condition) or Khiyar e Ruyat (Option of Physical Inspection), it was returned, or because of Khiyar e Ayb (Option of Defect), it was returned on the order of the Qadi.

Note: Bai'e Faasid, Khiyar e Shart, Khiyar e Ruyat and Khiyar e Ayb can be understood by perusing Bahaar e Shariat Volume 11.

There are also many cases in which it will be regarded as Khiraji, for example, if after conquering a place the land was again given to the people there, out of favour (goodness), or the country was conquered on the basis of mutual negotiation, or if a Muslim purchased an Ushri land from a Zimmi, or if a Zimmi occupied a barren land (i.e. wasteland) on the command of the Muslim Ruler, or if a wasteland was given away to a Zimmi, or if a Muslim inhabits it, and it was close to a Khiraji land, or if it was being irrigated by Khiraji water. Even if a Khiraji land is being irrigated with Ushri water, it will still be considered as being Khiraji.

If it (the land) is neither Khiraji nor Ushri. For example, the Muslims conquered that land and kept (that land) for themselves till Qiyaamat (i.e. a lifelong ownership), or if the owner of that land has died, and the land has gone into the property of the Bait ul Maal (Islamic Treasury). [Durr-e-Mukhtar, vol.3, pg.350-360]

Law 1: Khiraj is of two types:

Khiraj e Muqasama

Khiraj e Muqasama, is that land on which the (Tax) for a portion of crop from the harvest is fixed, be it half, one-third or one-quarter etc., just as Nabi ﷺ had fixed for the Jews of Khaybar.

Khiraj e Muaz'zaf

Khiraj e Muaz'zaf, (is that for which) a fixed amount is made necessary, be it an amount of money; for example, 2 Rupees per Bigha[1], or something else, like Hazrat Farooq e Azam رضي الله عنه had specified. [Durr-e-Mukhtar, vol. 3, pg.359]

LAW 2: If it is known that during the Saltanat e Islamia certain amount was fixed as Khiraj, then it is that which should be given, except in the case of Khiraj e Muaz'zaf. In this case wherever there are fixed stipulations from Hazrat Umar e Farooq ﷺ, these should not be exceeded, and where there is no specification from him, it should not be more than half of the crop. Similarly, in Khiraj e Muqasama as well, it should not exceed half of the crop. It is also a condition that the land should be one which can produce this quantity (of crop). [Durr-e-Mukhtar, Raddul Muhtar, vol.3, pg. 360/364]

LAW 3: If that which was fixed during the Saltanat e Islamia is not known, then in the places where Hazrat Umar e Farooq ﷺ had stipulated it, then there, that should be paid, and where he did not stipulate it, then their half should be given. [Fatawa Razviy'yah]

LAW 4: Farooq e Azam ﷺ stipulated that for every type of grain per one Jarib[2], the due is one dirham and one Sa' of its crop (grain), and in melon and watermelon fields, and in vegetables like cucumbers and brinjal etc. the due amount is 4 dirhams per Jarib. In the thick vines of grapes and Khurmah (dates like fruit), in which (other) crops cannot be grown, the due is ten dirham, and this (also) depends on the capacity of the land and the capability of the owner. Credence is not given to what he grew, but it will be seen what that land is able to grow, and if this person has the capability to grow that, then he will pay the Khiraj according to that. For example, if grapes can grow there, then he will pay the Khiraj for grapes, and if it is good for wheat, then he will give the Khiraj for wheat, even if he grows barley on it.

1: Bigha is a measure used in old days, and is equal to about 14400 square feet.
2: Jarib is a land measure as mentioned above by Sadrush Shariah Alaihir Rahma

The measurement of one Jarib according to the British yard is, 35 yards in length, and 35 yards wide, and one Sa' is equivalent to a full 286 Rupees currently (i.e. 3 kg 149.28), and ten dirhams is 12 Aana and $9\frac{3}{5}$ Paai, and five dirhams is 6 Aana and $4\frac{4}{5}$ Paai, and one Dirham is 4 Anna and $5\frac{19}{25}$ Paai.[2] [Durr-e-Mukhtar, vol.3, pg.360/361]

LAW 5: In a place where there is no Saltanat e Islamia, the people there should personally dispense the dues to the needy etc. who are the rightful recipients of Khiraj.

LAW 6: Whatever crop grows from an Ushri land, where the aim is to benefit from the crop of that land, then to pay the Zakaat on that crop is Fard, and the name of that Zakaat is called Ushr. In other words, one-tenth, because in most cases one-tenth is Fard, even though in some cases half Ushr, i.e. one-twentieth will be taken. [Alamgiri, vol.1, pg.186; Raddul Muhtar, vol.3, pg.358]

LAW 7: For Ushr to become Waajib, the condition of being Aaqil (being of sane mind), and being Baaligh (having reached the age of puberty) is not existent. There is also Ushr from in that which is produced by the land which belongs to an insane person (Majnun) or a Na-Baaligh (one who has not reached age of puberty, i.e. a minor), as this is also Waajib. [Alamgiri, vol.1, pg.185 etc.]

1&2: As mentioned earlier the Aana was a currency unit formerly used in India, equal to 1/16 rupee. It was subdivided into 4 Paise or 12 Paais (thus, there were 64 paise in a rupee and 192 paais). The term belonged to the Muslim monetary system. The Aana is not commonly used since India decimalised its currency in 1957. The Paai is also not commonly used today and the actual calculations for the said case will be done as per the current values. The above is based on calculations of that particular time. [Razvi Noori]

LAW 8: If one does not willingly pay the Ushr, then the Muslim Ruler can take it by force, and even in this case the Ushr will be regarded as discharged, but one will not be deserving of its reward. Alternatively, if one pays it willingly, then he will also be blessed with the reward for it. [Alamgiri, vol.1, pg.185]

LAW 9: If Ushr was Waajib i.e. due on someone and he died, and the crop is still present, then in this case Ushr will be taken from it (the crop). [Alamgiri, vol.1, pg.185]

LAW 10: For Ushr to be applicable, it is not necessary for a year should elapse, but if one has several harvests in a year, the Ushr on every harvest is Waajib. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.67]

LAW 11: In this, Nisaab is also not a condition. Even if the harvest is one Sa', the Ushr is Waajib, and it is also not a condition that they should be things which will remain, and it is also not a condition that the farmer should be the owner of the land. Even if a Mukatib or a Mazoon farmed, then Ushr is Waajib on that crop (harvest) as well. In fact, even if crops grew (were grown) on a land that is Waqf, Ushr will be due on that as well, be this whether the ones farming on it (that Waqf land) are from the Waqf, or if they are being paid to farm. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.67]

LAW 12: There is no Ushr on those things which are grown without the aim of yielding profit from that land, such as firewood, grass, bulrush (reed), Sayntha (bushy plant) twigs, Date leaves (palms), hibiscus/anthea, cotton, brinjal tree, the seeds of melon, watermelon and cucumbers, and the same applies to the seeds of all vegetables, because the aim of their cultivation is vegetables and not seeds. The same applies to those seeds which are medicinal, such as the Bdellium

(Kandar), fenugreek and Kalonji (onion seeds). However, if the bulrush, grass and reed etc. are grown with the aim of yielding benefits (profits) from the land, and the land has been left vacant for this purpose, then the Ushr is Waajib on this. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.68 etc.]

LAW 13: That field with is irrigated with rain water, or water from rivers, or canals, then Ushr, i.e. one-tenth is Waajib on it, and if it is irrigated by a large skin (leather) vessel, or by a bucket, then half Ushr, i.e. one-twentieth, is Waajib. If the water that he uses belongs to someone else and he purchases the water for use, then in this case it is still half Ushr which is Waajib. If that field is sometimes irrigated by rain water and sometimes through a bucket or leather skin vessel, then in this case if it is mostly irrigated by rain water, and sometimes by bucket, then Ushr will be Waajib, if not half Ushr. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.66/69]

LAW 14: If there is honey on an Ushri land or on a mountain or in the forest, then Ushr is Waajib on it. Likewise, Ushr is also Waajib on the fruits of the mountains and forests, on condition that the Muslim Ruler has protected them from Harbis, bandits, and rebels; otherwise there is nothing. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.66]

LAW 15: In wheat, barley, corn, millet, rice, and in all types of grain; and in linseed, safflower, walnut, almonds, and all types of fruits, cotton, flowers, sugar cane, melon, water-melon, cucumbers, brinjal, and all other types of vegetables (i.e. spuds), one-tenth Ushr is due, be this crop a little or a lot. [Alamgiri, vol.1, pg.186]

Note: For example in 10 Kilograms, you will give one kilogram, and for every ten fruit, you will give one fruit etc.

LAW 16: In that, where from Ushr or Nisf Ushr (half Ushr) are Waajib, the Ushr or Nisf Ushr will be taken from the entire crop (harvest). One cannot deduct from it, utilities (i.e. expenses etc.) for harvesting etc. such as ploughs; (i.e. harvesters etc), farm security, labourers wages, or seed costs etc. and then give the Ushr or Nisf Ushr. [Durr-e-Mukhtar, vol.2, pg.69]

LAW 17: The Ushr will only apply to Muslims, to the extent that if an Ushri land was bought by a Zimmi from a Muslim, and he has also taken possession of it, then Ushr will not be taken from a Zimmi, but he will be charged Khiraj (Land tax). Alternatively, if a Muslim bought a Khiraji land from a Zimmi, then it will remain Khiraji, and the Muslim will not be charged Ushr for that land, but rather he will be charged Khiraj. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.70]

LAW 18: If a Zimmi bought an Ushri land from a Muslim, then a Muslim took that land back in Shuf'ah (on the basis of the law of pre-emption/amalgamation), or for some reason the sale became Bai'e Faasid (illegal sale), and it was returned to the seller, or the seller faced Khiyar e Shart (Option of Condition), or someone had Khiyar e Ru'yah (Option of Physical Inspection), and for this reason it was returned; or if the Mushtari (buyer) faced Khiyar e Ayb (Option of Defect), and it was returned on the order of the Qadi. In all these cases it will still remain as Ushri Land. If it was returned on the basis of Khiyar e Ayb, without the order of the Qadi, then it will remain Khiraji. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.70/71]

LAW 19: If a Muslim converted his house (personal residence) to an orchard, then if he used Ushri water in it, then it is regarded as Ushri, and if he used Khiraji water in it, then it is Khiraji; and if he uses both types of water in it, then too it is regarded as Ushri. If a Zimmi

converted his personal residence to an orchard then Khiraj will be charged categorically. The water from the sky (rain), wells, springs and rivers is regarded as Ushri. The water from canals dug by (i.e. built) by Ajami (foreigners) is Khiraji. If unbelievers dug a well, and now it has come into the possession of Muslims, or if it was dug in a Khiraji land, then in all these cases that too becomes Khiraji. [Alamgiri, vol.1, pg.186/817; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.71/72]

LAW 20: There is no Ushr or Khiraj on that which grows in houses or graveyards. [Durr-e-Mukhtar, vol.2, pg.72]

LAW 21: If the springs of 'Zift' (Asphalt) and 'Nift' (Crude Oil) are on Ushri land or on Khiraji land, there is nothing due on them. However, if they are on Khiraji land, and the land in its vicinity, are lands which can be cultivated, then the Khiraj of that land will be taken, and not of the springs, and if it is on Ushri land, then as long as there is no cultivation in the neighbouring lands, then nothing will be taken. In this case for it to be such land which can be cultivated is not sufficient. [Durr-e-Mukhtar, vol.2, pg.72]

LAW 22: Those things which are attached to the ground, such as trees, and those things which come out of the tree, such as glue, there is no Ushr for. [Alamgiri, vol.1, pg.187]

LAW 23: Ushr will only be taken, when the fruits grow and can be used, and the risk of loss is outweighed, even if they are still not ready to be harvested. [Jauhira Nayyira]

LAW 24: It is not Halaal (lawful) to eat its yields before paying the Khiraj. Similarly, it is not Halaal for the owner to eat (from his crops) before he pays the Ushr. If he eats, then he must pay the liability. Similarly, if he fed it to others, then he will have to give the penalty of the Ushr of that quantity, and if he had the intention of paying the full Ushr, then for him to eat from it is Halaal. [Alamgiri, vol.1, pg.187; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.72]

LAW 25: In order to take Khiraj, the King (Muslim Ruler) has the right (i.e. the option) to stop (i.e. confiscate) the grains, and to not allow the owner to utilise it. If he has not paid the Khiraj for many years, and he is incapable (of paying it), then he should be pardoned (exempted for those years), and if he is not incapable, then (that which is due) should be taken (from him). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.73]

LAW 26: If one is able to cultivate (farm) the land, but he does not grow anything (on it), he will pay the Khiraj; and Ushr will not be Waajib, until he does not farm, and the crops do not grow. [Durr-e-Mukhtar, vol.2, pg.73]

LAW 27: He cultivated the fields, but the crops were ruined; for example, the entire field was flooded or got burnt, or it was eaten by locusts, or it was damaged due to hot winds or by frost, then both the Ushr and the Khiraj are cancelled. This will apply when all has been completely damaged. If some (of the crop) is remaining, then the Ushr will be taken on what is remaining. If it was eaten by animals (livestock), then the Ushr is not cancelled. For it to become cancelled, it is also a condition that within that year, in that (land), another crop cannot be cultivated. It is also a condition that it should be destroyed before being picked or cut (i.e. harvested), otherwise it will not be cancelled. [Raddul Muhtar, vol.2, pg.73/74]

LAW 28: If someone usurped (i.e. forcefully took away) a Khiraji land, and he denies usurping it, and the owner also has no witnesses (to prove this), then if the land is farmed, the usurper will be liable for the Khiraj. [Durr-e-Mukhtar, vol.2, pg.74]

LAW 29: Bai'e Wafa, in other words, it is that sale in which this condition is set that the seller has the right to return the payment to the buyer, and the Mushtari (buyer) will refund the purchase price. Now, if a Khiraji land was sold on this basis (of Bai'e Wafa) to someone, and if the land is in the possession of the seller, then the Khiraj is upon the seller, and if it is in the possession of the buyer, and the buyer has already planted on it, then the Khiraj is upon the buyer. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.54]

LAW 30: If the crop was sold before it was ready (i.e. ripe etc.), then the Ushr is on the buyer, even though the buyer would have made the condition that the crop will not be harvested before it becomes ripe, and it should remain in the field (orchard), and at the time of selling the crop was ready, then the Ushr is on the seller. If he sold the land and the crop, or if he sold only the land, and there is still that amount of time left in the year wherein the land can be cultivated (and harvested), then the Khiraj is on the buyer, otherwise on the seller. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.74]

LAW 31: If an Ushri land was give on 'Aariyat' (as a loaned land) then the Ushr is on the cultivator, and not on the owner. If the land was given on 'Aariyat' to an unbeliever, then the Ushr is on the owner. [Alamgiri, vol.1, pg.187]

LAW 32: If Ushri land was given in a manner where the crop is divided between cultivator and the landlord, then then Ushr is on both of them, and if a Khiraji land was given in this manner, then it is on the owner. [Raddul Muhtar, vol.2, pg.76]

LAW 33: According to our Imam (Imam Abu Hanifa رحمۃ اللہ علیہ) the Ushr for the land which is given with the option of paying cash for cultivation, is the responsibility of the landlord, and according to the Saahibayn (Imam Abu Yusuf and Imam Muhammad رضی اللہ تعالی عنہما) it is the responsibility of the farmer (i.e. cultivator), and the research of Imam Shaami is that on the basis of the situation of the era, we will now act in accordance with the view (statement) of the Saahibayn. [Shaami, vol.2, pg.75]

LAW 34: That land revenue which is given to the government, does not cause the Khiraj e Shar'i (i.e. the Khiraj stipulated by the Shariah) to be discharged, and it remains the responsibility of the owner. It is necessary for him to pay it. The use of the Khiraj is not only for the Muslim Army, but it is for all the virtuous needs of the Muslims, from which is, building of Masjids, maintenance and expenses of the Masjid, the allowance of the Imam and the Muaz'zin, and the salary of the (Islamic) teachers. It can be used for the sake of Deeni knowledge (Deeni Education), and to fulfil the needs of Deeni students, and for the assistance of the Ulama e Ahle Sunnat, and for those supporters of Deen (i.e. Ulama) who lecture and propagate the knowledge of Deen, and for those who are engrossed in the work of writing Fatawa (Islamic Edicts). It can also be used in the building of bridges and guest houses. [Fatawa Razviy'yah]

LAW 35: If before taking out the Ushr, the grain was sold, then the Musad'diq (collector) has the right and option of taking it from the buyer or from the seller, and if he sold it for more than its actual price, then it is up to the Collector to either take it from the grains or take it from the payment received for the grains. If he sold it at a low price, which is so low, that people do not usually sell it at such a loss, then he will take the Ushr from the grain only; and if the grain is not remaining any more, then he will stipulate its Ushr and take it from the seller, or he will take its mandatory price. [Alamgiri, vol.1, pg.187]

LAW 36: If one sold away the grapes, then the Ushr of its payment must be taken, and if it was sold after being juiced, then he will take the Ushr of its price (i.e. of the juice). [Alamgiri, vol.1, pg.187]

THE USES OF ZAKAAT

Almighty Allah says,

اِنَّمَا الصَّدَقٰتُ لِلْفُقَرَآءِ وَالْمَسٰكِيْنِ وَ الْعٰمِلِيْنَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوْبُهُمْ وَفِى الرِّقَابِ وَالْغٰرِمِيْنَ وَفِىْ سَبِيْلِ اللّٰهِ وَابْنِ السَّبِيْلِ ؕ فَرِيْضَةً مِّنَ اللّٰهِ ؕ وَاللّٰهُ عَلِيْمٌ حَكِيْمٌ ﴿٦٠﴾

Charity is only for the needy and the destitute, and for those who are appointed to collect it, and for those whose hearts (you) intend to win over (towards Deen), and to free slaves, and to those in debt, and in the way of Allah, and for the traveller. This is ordained by Allah. And Allah is All Knowing, All Wise. [Surah Tauba (9), Verse 60]

AHADITH E MUBAARAKA

HADITH 1: It is in Sunan Abu Dawud from Ziyad bin Haarith Suda'i ﷺ that Rasoolullah ﷺ said, 'Allah did not keep the command of Sadaqaat on any Nabi or anyone else, but He has given the Command of it by Himself, and in it is divided into 8 (eight) categories.'

HADITH 2: Imam Ahmed, Abu Dawud and Haakim have reported from Abu Sa'eed ﷺ that Rasoolullah ﷺ said, 'Sadaqa is not Halaal (lawful) for the wealthy (i.e. solvent), except for five categories of people:

1. One who fights in the Way of Allah
2. One who is the collector of the Sadaqa (i.e. Zakaat)

3. One who is in debt
4. One who has purchased with his wealth (i.e. he has none left)
5. If it is given to a Miskeen (destitute) who in turn gifted it to his solvent neighbour.'

In a narration of Ahmed and Baihaqi, the Musafir (traveller) has also been included in this.

HADITH 3: It is in Baihaqi from Maula Ali ﷺ that he said, 'In the obligatory Sadaqa (i.e. Zakaat), your children and father have no right.'

HADITH 4: It is in Tabrani Kabeer from Ibn Ab'bas رضی الله تعالی عنهما that Rasoolullah ﷺ said, 'O Bani Hashim! Be patient on your condition, for Sadaqa (Zakaat) is the purifier of the people.'

HADITH 5 TO 7: Imam Ahmed and Muslim report from Mutallib bin Rabee'a that Rasoolullah ﷺ said, 'Sadaqa (charity such as Zakaat etc.) is not permissible for the Family of Nabi Muhammad ﷺ, because this is the grime of the people.'

The narration of Ibn Sa'ad is from Imam Hasan Mujtaba ﷺ that Rasoolullah ﷺ said, 'Allah has made Sadaqa (charity) Haraam (forbidden) upon Me and My Ahle Bayt (Noble Descendants).'

In the Narrations of Tirmizi, Nasa'i and Haakim, it is reported from Abu Raafe' ﷺ that Rasoolullah ﷺ said, 'Sadaqa (charity) is not Halaal for us, and the freed slave of a nation, is from amongst them.'

HADITH 8: It is in Sahihain from Abu Hurairah ﷺ that once, Hazrat Imam Hasan ﷺ took a date from dates brought for Sadqa, whereupon Nabi ﷺ said, 'Leave it! Leave it! Throw it away. Do you know not, that we do not eat Sadaqa (charity)?'

There are also narrations from Tuhmaan, Bahaz bin Hakim, Bara', Zaid bin Arqam, Amr bin Khaarja, Salman, Abdur Rahman bin Abi Layla, Maymoon, Kaysaan, Hirmaz, Khaarja bin Amr, Mughira and Anas رضی اللہ تعالی عنہم that Sadaqaat (Charity) is impermissible (i.e. unlawful) for the Ahle Bayt of Rasoolullah ﷺ.

LAWS OF JURISPRUDENCE

Law 1: The uses of Zakaat are 7 (seven):

1. A Faqeer
2. Miskeen
3. Aamil
4. Riqaab
5. Ghaarim
6. Fi Sabeelillah
7. Ibn-us-Sabeel. [Durr-e-Mukhtar, vol.2, pg.79]

A Faqeer

Law 2: A Faqeer refers to that person who has some assets, but they are less than the Nisaab (standard current threshold, i.e. he is insolvent in the view of not having Nisaab). Alternatively, even if he has some assets which reach the Nisaab, but they are absorbed in Haajat-e-Asliyah (a person's basic essentials/expenses), such as his house in which he lives, clothes needed for wearing, a handmaid or slave for his service, Deeni (Religious) books for those in the field of knowledge, which do not exceed their necessity. This has already been explained earlier. Similarly, if he is a debtor, and after deducting his debt, he is not left with any Nisaab, he is regarded as a Faqeer, even though he may not have just one, but many Nisaabs at one time. [Raddul Muhtar, vol.2, pg.80]

Law 3: If the Faqeer is an Aalim, then it is better (more virtuous) to give it (i.e. the Zakaat) to him rather than giving it to an uneducated person. [Alamgiri, vol.1, pg.187]. When giving it to an Aalim, be sure to take heed to his self-respect. It should be given to him with respect,

just as a younger one gives a gift to an elder. Allah forbid, if one has contempt in his heart regarding the Aalim, then this is a cause of severe ruin and destruction.

A Miskeen

Law 4: A Miskeen refers to that person who is completely destitute and has nothing at all and is so dependent that he does not even have food to eat, or clothing to cover his body with. Also, he is forced to beg from the people, and for such a person to beg is Halaal. However, it is not permissible for a Faqeer to beg, for one who has food to eat and clothing to cover his body with, then for him to beg without need or without compulsion, is Haraam. [Alamgiri, vol.1, pg.187/188]

An Aamil

Law 5: An Aamil is the person who has been appointed by the Muslim Ruler to collect the Zakaat and the Ushr. In accordance with his duties, he should be paid an amount which will be adequate for him and his assistants, but he should not be given an amount which exceeds half of what he has collected. [Durr-e-Mukhtar, vol.2, pg.80/81]

Law 6: Even if the Aamil is Ghani (i.e. he has equivalent to the Nisaab), he can still take payment for his duties. If the Aamil is a Hashmi (i.e. Sayed) then even to pay him from the Zakaat money is not permissible, and for him to take this is also impermissible. However, if it is given to him from some other deposit (money), then there is no harm in him taking this. [Alamgiri, vol.1, pg.188]

Law 7: If the Aamil loses possession of the Zakaat money (or items), then he will now not receive anything, but the Zakaat of those who

paid it, will be discharged. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.80/81]

Law 8: If someone takes his Zakaat and personally deposits it in the Bait ul Maal (Muslim Treasury), then the returns for this will not be given to the Aamil. [Alamgiri, vol.1, pg.188]

Law 9: If the Aamil took his payment in advance, or if the Qadi handed it over to him, then this is permissible, but it is best that it should not be given in advance. Alternatively, if it was given in advance, and the money which he collected was ruined (lost), then the apparent (rule) is that the payment will not be taken back.

The Riqaab

Law 10: Riqaab refers to giving a Mukatib slave the bond amount for his freedom, so that with that amount he may pay off the bond (to his master) in exchange for his freedom. [General Books, Alamgiri, vol.1, pg.188]

Law 11: Even the Mukatib of a Ghani can be given Zakaat, even though you may know that he is the Mukatib of a Ghani (solvent / wealthy person). If a Mukatib is failing to pay the bond in exchange for his freedom, and he then again becomes a slave, then whatever amount of Zakaat he has taken, his master may utilise it, even though he (the master) may be Ghani. [Durr-e-Mukhtar, vol.2, pg.86]

Law 12: The Zakaat that has been given to a Mukatib was for him to pay for his freedom, but he has the choice of using it for something else. If the Mukatib has wealth equivalent to the Nisaab, and it is even more than what he needs to pay in exchange for his freedom, he can

still be given Zakaat, but the Mukatib of a Hashmi cannot be given Zakaat. [Alamgiri, vol.1, pg.188; Durr-e-Mukhtar, vol.2, pg.82]

A Ghaarim

Law 13: A Ghaarim refers to that debtor, who is so deep in debt that after coming out of this debt, he will not be left with Nisaab, even though he is owed by others, but he is not able to recover it from them. However, the condition (here) is that the debtor should not be a Hashmi. [Durr-e-Mukhtar, vol.2, pg.83]

Fee Sabeelillah

Law 14: Fee Sabeelillah, means to spend in the way of Allah. There are few ways of doing this. Some examples are as follows:

- If a person is dependent and wants to partake in Jihad[1] (True Holy War), and he is in need of a mode of transport and necessities for his journey, then he may be given Zakaat, because to do this, is to give in Way of Allah. Even though he may be capable of earning,

- If a person wishes to go on Hajj, but he does not have the funds to do so, then he may be given Zakaat for this purpose. However, he is not allowed to beg in order to go for Hajj

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1: This does not refer to the terrorists and extremists who call on people in the name of Jihad to kill innocent people. This is not Jihad, but it is against the Shariah. Such people and groups should not be supported at all. Jihad is to fight truly for the sake and for the defence of Islam. [Razvi Noori]

- A Taalib e Ilm (i.e. a student who is studying Deeni knowledge) or aims to go out to study Deeni knowledge. Such a person may also be given Zakaat, as this is also regarded as giving in the Way of Allah. However, a Taalib e Ilm, is also permitted to ask (beg) for Zakaat, if he has devoted himself only for this reason (i.e. to acquire Deeni knowledge), even though he may be able to earn a livelihood.

Likewise, to spend Zakaat on all virtuous actions is regarded as Fee Sabeelillah, i.e. to spend in the Way of Allah, on condition that it must be 'Tamleek' (the recipient must be made the owner), because if the condition of Tamleek is not met, Zakaat will not be discharged. [Durr-e-Mukhtar, vol.2, pg.83]

Law 15: Many people send their Zakaat to Islamic Madrassas (seminaries). They should inform the trustees of the Madrassa that the said amount is Zakaat, so that the Trustees may keep this money separately and not mix it with other funds. They should spend this on the poor students, and it should not be given as payment for any work undertaken, otherwise the Zakaat will not be discharged.

Ibn-us-Sabeel

Law 16: Ibn-us-Sabeel refers to the traveller. This refers to a traveller who has become insolvent. He may take Zakaat, even though he may have wealth (assets etc.) available at home. He is only permitted to take that amount which is necessary for him to fulfil his needs. He is not permitted to take more than this. Similarly, if a Malik e Nisaab (solvent person), is owed by someone else for a period of time, and that time fixed (to receive his money) has not elapsed as yet, and he is now in need, or if the one who owes him the money is not present

there at the moment, or if he is there, but he has nothing, or he refuses to accept that he owes that debt, even though the one being owed has evidence that he owes him, then in all these cases, one may take Zakaat as per need, but it is however better to take a loan if that option is available to you, in order to sort your needs. [Alamgiri, Durr-e-Mukhtar]

If the debt is Dayn e Mu'ajjal (i.e. A prompt loan), or if the time frame has elapsed and the solvent debtor is present, and also acknowledges it, then in this case one cannot accept Zakaat, because in this case he can receive it from the debtor and fulfil his need, in reality, he is not needy. It must be noted that a loan, which in common terms is also called 'current loan' or a 'short term loan' in the language of Shariah (law) is always Mu'ajjal, meaning whenever one wishes to, he may demand (its payment), even though there are a thousand pledges, promises, written agreements or promissory notes which fix a duration, that it will only be paid after such and such amount of time, even though it is written that within that time frame, one cannot be first to demand, and if one demands then that demand will be invalid. All of these conditions are regarded as invalid, and the one who has given the loan has the right to demand at any time. [Durr-e-Mukhtar, vol.2, pg.84]

Law 17: If a Musafir, or that Malik e Nisaab who is being owed by someone else, took an amount of Zakaat as per necessity, in the time of need, and then he received his own wealth (money). For example, if a Musafir has reached home, or the Malik e Nisaab received payment of his debt, then in this case he may now still utilise, whatever is remaining of that Zakaat. [Raddul Muhtar, vol.2, pg.84]

LAW 8: The one who is giving his Zakaat has the choice (right) of giving it to all seven categories (of recipients), or he may simply give it to just one from amongst them, be this few people of the same category, or to just one person. If the person (giving Zakaat) does not have Zakaat (to give) which is equal to the amount of Nisaab, then it is better to give it to one person. Also, to give to just one person an amount which is equivalent to Nisaab, is Makruh, but if he gave it to him, it will be regarded as being discharged. It is Makruh to give just one-person Zakaat which is equivalent to Nisaab, only if the Faqeer is not a debtor, and if he is debtor, then he should be given such an amount that after paying the debt, nothing remains, or if less than the Nisaab of Zakaat remains, then it is not Makruh. Likewise, if the Faqeer has a family, and even though the amount being given to him is more than the Nisaab of Zakaat, but if he will spend it (distribute it) amongst his family, then all of them get an amount that is less than Nisaab, then there is no harm in doing so. [Alamgiri, vol.1, pg.188]

LAW 19: When paying Zakaat, it is necessary to make the one whom you are giving Zakaat to, the Maalik (owner) of the wealth (i.e. it must be given in his possession), and simply giving permission is not sufficient. Therefore, to spend the Zakaat money in the Masjid, or to give Kafan (shroud) for the deceased with it, or to pay the debt of a deceased with it, or to free a slave, or to construct a bridge, guest house (Musafir Khana), public bath or road, or to dig a canal or a well, (i.e. meaning to spend that money for all of these things), or to buy books etc. and then make it Waqf, is not sufficient (for Zakaat to be discharged). [Jauhira, Alamgiri, vol.1, pg.188; Tanweer, vol.2, pg.85]

LAW 20: If a Faqeer owes money, and on his authority, it was paid off with Zakaat, then in this case the Zakaat will be discharged, and if this was not done on his authority, then it will not be counted as being

discharged. If a Faqeer gave permission, but died before it was paid off, and if this debt is then paid from Zakaat, then it will not be discharged. [Durr-e-Mukhtar, vol.2, pg.85]

We have already explained the issue of making Heela with Zakaat money for these purposes, so if one wishes to make Heela, then he may do so.

LAW 21: Zakaat cannot be given to your actual (direct family), meaning you cannot give your Zakaat to your:

1. Mother
2. Father
3. Paternal grandfather (Dada)
4. Paternal grandmother (Daadi)
5. Maternal grandfather (Naana)
6. Maternal grandmother (Naani) etc.

In other words, those in whose children we are. Zakaat cannot also be given to your own children, meaning to your:

1. Sons
2. Daughters
3. Paternal grand-sons
4. Paternal grand-daughters
5. Maternal grand-sons
6. Maternal grand-daughters etc.

Likewise, we cannot give them Sadqa, Fitrah, Nazr (offering) and Kaffarah. However, we are allowed to give Nafil (optional) Sadqa to them, and in fact it is better to give this to them. [Alamgiri, vol.1, pg.188; Raddul Muhtar, vol.2, pg.86, etc.]

LAW 22: Zakaat cannot be given to a child born out of adultery which is from him (i.e. his own but illegitimate), or that child which was born from his legally married wife whilst she was in his Nikah, but he says that this is not my child. [Raddul Muhtar, vol.2, pg.86]

LAW 23: Zakaat can be given to your daughter in law, son in law, step mother, step father, or to the children of your wife (from a previous marriage), or to the children of your husband (from another marriage). Zakaat may also be given to other relatives whose maintenance is Waajib upon you, as long as it is not deducted from that maintenance. [Raddul Muhtar, vol.2, pg.86]

LAW 24: If one's parents are dependent (needy) and he wish to make Heela with Zakaat and give it to his parents, in a way where he gives it to a Faqeer and then the Faqeer gives it to them, then this is Makruh. [Raddul Muhtar, vol.2, pg.86]. It is also Makruh to give (your Zakaat) to your children after making Heela.

LAW 25: You cannot give Zakaat to your own (slave or servant), or to your family (slave or servant), or to the slave of your wife or of your husband, or to a Mukatib, or a Mudab'bir, or to an Umm e Walad, or to any such slave in whom you have any ownership, even if certain parts of him are freed already. [Alamgiri, vol.1, pg.189]

LAW 26: A wife cannot give her Zakaat to her husband, and a husband cannot give his Zakaat to his wife, even if he has given her Talaaq e Baa'in, or even if he has given her three Talaaqs, for as long as she is still in Iddat. If the Iddat is completed, then he may give his (Zakaat to) her. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.87]

LAW 27: It is not permissible to give Zakaat to one who is Maalik e Nisaab (whereas that thing is clear of Haajat e Asliyah, meaning, house, housekeeping items, clothes to wear, servant, animal (mode) of transport, weapons, books for the men of learning which are for his work, and all things which are regarded as Haajat e Asliyah, even though such items are more than this, even though a year has elapsed over it, and even though it is not Maal e Naami, i.e. productive wealth).

Additionally, Nisaab here means the value of those items should be equal to two hundred dirhams (i.e. the current standard Nisaab), even though by itself it may not be so much that Zakaat is Waajib on it. For example, if six Tola of gold is equal to the value of two hundred dirhams, then the one who has this, even though Zakaat is not Waajib on him, because the Nisaab (threshold) of gold is seven and half Tola, but that person cannot be given Zakaat. Alternatively, in the case where he has thirty goats or twenty cows, which add up to the value of two hundred dirhams, then he cannot be given Zakaat, even though Zakaat is not Waajib on him. Also, if he has more goods than his need, which are also not for trade purpose, but they are equal to two hundred dirhams (i.e. Nisaab amount), then he cannot be given Zakaat. [Raddul Muhtar, vol.2, pg.88]

LAW 28: A fit and healthy person (who is a legal recipient of Zakaat), can be given Zakaat, even though he has the capability to earn a

living, but for him to beg is not permissible. [Alamgiri, vol.1, pg.189, etc.]

LAW 29: Even the slave of one, who is Maalik e Nisaab, cannot be given Zakaat, even though the slave may be crippled, and even if his master does not give him food to eat, or if his master has disappeared. However, the Mukatib and Mazoon of a Maalik e Nisaab can be given Zakaat, when both he and his wealth are locked (sunk) in debt. Similarly, the na-Baaligh children of a wealthy (i.e. solvent) person cannot be given Zakaat. However, it can be given to the Baaligh children of a Ghani (wealthy, i.e. solvent person), on condition that they are Faqeer. [Alamgiri, vol.1, pg.189; Durr-e-Mukhtar, vol.2, pg.89/90]

LAW 30: The wife of a Ghani person can be given Zakaat, on condition that she is not Maalik e Nisaab. Similarly, the father of a Ghani can be given Zakaat as long as he is a Faqeer. [Alamgiri, vol.1, pg.189]

LAW 31: A woman who's Mahr (dowry) is owed to her by her husband, even if that amount is equivalent to Nisaab, and even if her husband is wealthy, and he has the means to pay it; can still be given Zakaat. [Jauhira Nayyira]

LAW 32: A child whose mother is Maalik e Nisaab, even though the child's father is not alive, that child can be given Zakaat. [Durr-e-Mukhtar, vol.2, pg.90]

LAW 33: If a person has a house or shop which he gives on rent, and the amount he gets is three thousand dirhams, for example, but this rental is not enough to suffice for the (essential) needs of his family, then to give him Zakaat is permissible. Similarly, if he has a farmland, on which he farms, but whatever he gets out of that land is not

sufficient to sustain his family for the entire year, then he too can be given Zakaat, even though the value of the farmland is more than two hundred dirhams (i.e. more than the current standard Nisaab amount). [Alamgiri, vol.1, pg.189; Raddul Muhtar, vol.2, pg.88]

LAW 34: One who has grain to eat, which is equal to the value of two hundred dirhams (i.e. equal to the current standard Nisaab amount), and that grain is sufficient for him for the entire year, then too, to give him Zakaat is Halaal. [Raddul Muhtar, vol.2, pg.88]

LAW 35: Winter clothing which is not needed in the summer months is (still) regarded as being from Haajat e Asliyah. Even if one has such clothing, and even if they are very expensive, he may still accept Zakaat. If a person has a house in which he lives, but it is larger than he needs, meaning that he does not use the entire house to live in, then such a person is still allowed to take Zakaat. [Raddul Muhtar, vol.2, pg.88]

LAW 36: A woman is personally the Maalik of the Jahez (bride's portion), which she receives from her parents. In it there are (usually) two types of things (items);

The first type consists of those things which are of need, such as household and housekeeping goods, clothing for use, and utensils for (home) use. No matter how many of these items she may have, she will not be regarded as being Ghani (on the basis of these items).

The second type of things she receives, are those which are over and above that which is regarded as Haajat e Asliyah, which are given for adornment, such as jewellery, and those things which are except the needed things, and ornaments, and very expensive clothing which are

given to her to wear when leaving (her mother's home), or when returning (to her mother's home). If the value of these things is equivalent to the Nisaab, then the woman is regarded as Ghani and cannot accept Zakaat. [Raddul Muhtar, vol.2, pg.89]

LAW 37: If one has pearls and other gemstones etc, and they are not meant for trade (business purposes), then their Zakaat is not Waajib, but if it is to the value of Nisaab, then that person cannot accept Zakaat. [Raddul Muhtar, vol.2, pg.89]

LAW 38: If one has an orchard in his home which is equivalent to the value of Nisaab, but in the orchard, it does not have those things which are necessities for a house, such as a kitchen and bathroom etc. then for him to accept Zakaat is not permissible. [Alamgiri, vol.1, pg.189]

LAW 39: The Bani Hashim cannot be given Zakaat. Neither can a non-Hashmi give a Hashmi Zakaat, nor can another Hashmi give a Hashmi Zakaat. Bani Hashim refers to the descendants of Hazrat Ali, Hazrat Ja'far, Hazrat Aqeel, Hazrat Ab'bas and Hazrat Haarith bin Abdul Mutallib. With the exception of the above, those who did not support Nabi Kareem ﷺ, such as Abu Lahab, that even though this unbeliever was also the son of Hazrat Abdul Mutallib, but his children will not be counted amongst the Bani Hashim. [Alamgiri, vol.1, pg.189]

LAW 40: Even slaves freed by Bani Hashim cannot be given Zakaat, so to give (Zakaat) to those slaves who are still under their ownership is impermissible to a greater extent. [Durr-e-Mukhtar, vol.2, pg.91 etc.; General Books, Alamgiri, vol.1, pg.89]

Law 41: If the mother (of someone) is Hashmi, who is in fact a Sayyidaani (i.e. female descendant of Nabi ﷺ family), and the father is not Hashmi, then that person is not considered to be a Hashmi, as the lineage in Shariah is from the father. Hence, such a person can be given Zakaat, if there is no other restriction of the Shariah.

Law 42: Nafil Sadqa and earnings from the Awqaaf (Trust) can be given to Bani Hashim, whether the one who made the Waqf, selected them or not. [Durr-e-Mukhtar, vol.2, pg.91]

Law 43: A Zimmi Kaafir can neither be given Zakaat, nor any Waajib Sadaqa, such as Nazr (offering), Kaffarah (compensation) and Sadaqa e Fitr, and it is not permissible to give a Harbi any type of Sadaqa, neither Waajib nor Nafil, even though he may be in Darul Islam under the refuge of the Muslim King (Ruler). [Durr-e-Mukhtar, vol.2, pg.92]

Even though India is regarded as Darul Islam, the Kufaar here are not Zimmi, and to give them Nafil Sadaqa such as donations etc. is not permissible.

Beneficial Note

To give any other Sadaqa e Waajiba such as Nazr (offering), Kaffarah (compensation) and Fitrah etc. to those who cannot be given Zakaat, is also impermissible; except for hidden treasure (which is found) and that which is from a mine. As the one-fifth of that can be given to your children and to your parents, and there are actually certain circumstances when one can use it personally as well, which has already been explained earlier. [Jauhira]

LAW 44: For those concerning whom it has been mentioned that they can be given Zakaat, the condition is that all of them must be Faqeer, except for an Aamil, as it is not a condition for him to be a Faqeer. As for the Umm-us-Sabeel, even though he is Ghani, but at that time, he will fall under the category of a Faqeer. Zakaat cannot be given to anyone else who is not a Faqeer. [Durr-e-Mukhtar, vol.2, pg.88]

LAW 45: If a person who is on his deathbed (i.e. in his final illness), gave Zakaat to his brother, and this brother is his heir, then in the Court of Allah, this Zakaat has been discharged. However, the other heirs have the right, to take that Zakaat back from him, as it falls within the ruling of the bequest (Wasiyat), and it is not proper without the permission of the other heirs to the make a Wasiyat to a (particular) heir. [Raddul Muhtar, vol.2, pg.86]

LAW 46: If Zakaat was given (by someone) to someone who serves him, and who does his chores, or if it was given to one who gave him some glad tidings (good news), or if he gave it to that person who sent him some gift, then all of this is permissible. However, if he gave it and said that it is in return (for whatever they did), then it is not discharged. During Baqr Eid, if he gave it to the male and female servants but said that it was Eidi (Eid gift), it will be discharged. [Jauhira, Alamgiri, vol.1, pg.190]

LAW 47: If one used Tahar'ri (positive intuition), meaning he thought about it, and his heart confirmed and was fully content with this, that such and such person can be given Zakaat, and he thus gave the Zakaat to him, but later it was ascertained that he is a valid recipient of Zakaat, or his condition was still not known, then (in this case) the Zakaat will be regarded as being discharged. However, if later one ascertained that he was a Ghani, or that they were from among his

parents, or it was his child, or her husband, or his wife, or he was a Hashmi, or the slave of a Hashmi, or he was a Zimmi, then (in all such cases) it will be counted as being discharged. If one came to know that it was his own slave, or a Harbi, then it is not discharged. He should now pay it again. It will also fall under the ruling of Tahar'ri, if someone asked (begged) for Zakaat and he gave it to him, without thinking of him as being Ghani, or if a person was sitting with a group of Faqeers, looking like one of them, and he gave it to him. [Alamgiri, vol.1, pg.190; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.92]

LAW 48: If one gave Zakaat to someone without evening thinking about it, meaning he did not even think as to whether he can be given the Zakaat or not, and later he realised that he was not allowed to give him Zakaat, then in this case it will not be discharged; otherwise it will be discharged. If whilst giving it to him, if one had a doubt but one did not do Tahar'ri, or even if he did do Tahar'ri, but his heart did confirm and lean to one particular side, or if he did Tahar'ri and there was predominant likelihood that this person is not a legal recipient of Zakaat, but he still gave it to him, then in all such cases it will not regarded as being discharged.

It will (only) be regarded as discharged, if after giving it, it became evident that he was a legal recipient of Zakaat. [Alamgiri, vol.1, pg.190]

LAW 49: In Zakaat and other Sadaqaat, it is Afdal (more virtuous), to first give it to your brothers and sisters, then to their children, then to your paternal uncles and aunts, then to their children, then to your maternal uncle and aunt, then to their children, then to (other) Zawil Arhaam (i.e. blood relatives), then to your (Muslim) neighbours, then to people of your own profession, then to the people of your own village, city or town. [Jauhira, Alamgiri, vol.1, pg.190]

It is reported in the Hadith that Nabi ﷺ said, 'O Ummah of Muhammad ﷺ! By Him Who sent Me with the Truth, Allah Almighty does not accept the Sadaqa (Charity) of that person, whose relatives are in need of his assistance, but he gives it to someone else. By Him in Whose Divine Power is My Soul! Allah Almighty Allah will not look towards him with Mercy on the Day of Qiyaamat.' [Raddul Muhtar, vol.2, pg.93/94]

LAW 50: To send Zakaat to another city is Makruh, unless his relatives are there, then he may send it there to them, or if those there have a greater need for it, or the one to whom he is giving it, is more pious, or if it is more beneficial to the Muslims by sending it there. Alternatively, if it was sent for students of Deen, or for true worshippers; or if he is in Darul Harb and he sends it to Darul Islam, or if he sends it before his (Zakaat) year ends. To send it to another city (or town) in all these cases is permissible without any objection or protest. [Alamgiri, vol.1, pg.190; Durr-e-Mukhtar, vol.2, pg.93/94]

LAW 51: A City (Town) here refers to that city, where his wealth (assets etc) is present. If he lives in one city and his wealth is present in another city, then in this case he should give it to those Fuqara who are in that city, and in the ruling of Sadaqa e Fitr, city refers to the city in which you are personally present. If one is personally in one city and his minor children and slaves are in another city, then he should distribute the Sadaqa e Fitr to the Fuqara of the city in which he personally is. [Jauhira, Alamgiri, vol.1, pg.190]

LAW 52: It is impermissible to give Zakaat to a Bud-Mazhab (deviants). [Durr-e-Mukhtar, vol.2, pg.96]

When this is the ruling concerning the Bud-Mazhabs, then what can be said about the wahabiya of this time, who commit blasphemy in the Court of Allah, and insult the exalted station of the Beloved Rasool ﷺ, and they even publicise this. They are those whom the Grand (Righteous) Ulama e Haramain Sharifain have unanimously decreed to be Kaafir (unbelievers) and Murtad (apostates), even though they may call themselves Muslims. To give Zakaat to them is Haraam, and strictly Haraam, and if you did give it to them, then it will never be regarded as discharged under any circumstance.

LAW 53: If one has food for the day, or if he is fit and healthy enough to earn a living, then for such a person to beg for food, is not Halaal. If someone gives him food without him begging (or asking for it), then for him to accept it is permissible. If he has enough to eat, but he does not have sufficient clothing, then in this case he may beg for clothing. Similarly, if he is occupied in Jihad (Truly fighting in the Way of Allah), or he is a student of Deen, then even if he is fit and healthy and is able to earn, he is allowed to ask for assistance.

It is also impermissible to give to such a person, upon whom it is not permitted to ask for assistance. One who gives him is sinful. [Durr-e-Mukhtar, vol.2, pg.95/96]

LAW 54: It is Mustahab to give a person such an amount that he has no need to ask help (beg) for that day, and this differs based on the condition (i.e. the needs) of the Faqeer. One will have to consider his food (i.e. how much he requires), his family and children (i.e. the size of his family), and his other needs, and then give him (based on this information). [Durr-e-Mukhtar, vol.2, pg.93]

Chapter 2

Sadaqa e Fitr

- Sadaqa e Fitr in the Light of Hadith 139
- Laws of Jurisprudence 140

IN THE LIGHT OF HADITH

HADITH 1: It is in Sahih Bukhari and Muslim from Abdullah ibn Umar رضی اللہ تعالی عنہما that Rasoolullah ﷺ instructed the payment of one Sa' of dates or one Sa' of barley as Zakaat-ul-Fitr on every Muslim slave or free man, male or female, young or old. In addition, He ﷺ commanded that it be paid before (the people) went out to offer (Eid) Namaaz.

HADITH 2: It is reported in Abu Dawud and Nasa'i that at the end of Ramadaan, Abdullah ibn Ab'bas رضی اللہ تعالی عنہما said, 'Pay Sadaqa for your fasts, for this Sadaqa has been stipulated by Rasoolullah ﷺ, which is one Sa' of dates or one Sa' of barley or half Sa' of wheat.'

HADITH 3: It is in Tirmizi Shareef from Amr bin Shu'aib who reported from his father, who in turn reported from his grandfather that Rasoolullah ﷺ sent a person into the neighbourhoods of Makkah and said, 'Announce that the Sadaqa e Fitr is Waajib (compulsory).'

HADITH 4: Abu Dawud, Ibn Majah and Haakim have reported from Ibn Ab'bas رضی اللہ تعالی عنہما that Rasoolullah ﷺ stipulated the Zakaat-ul-Fitr, so that the fasts may be purified from shameless and vulgar utterances, and so that the needy (Miskeen) may be fed.

HADITH 5: Dailami, Khateeb and Ibn Asaakir report from Anas رضی اللہ عنہ that Rasoolullah ﷺ said, 'The fasts of a servant remains suspended between the skies and the earth, until he does not discharge the Sadaqa e Fitr.'

LAWS OF JURISPRUDENCE

Translator's Note

At the inception it must be mentioned that as per the research and the Fatwa of Sayyidi Aala Hazrat ﷺ. We have ascertained that the original Fitrah based on Half Sa' of wheat is (the value of) 1 kg 574 grams (of wheat), but he advised as a measure of care to increase it for the benefit of the Faqeer, and based on his stipulated formula to inflate it on the basis of care, it works out to (the value of) 1 kg 919.1 gram of wheat. This is further verified from the well-researched Fatwa of Mufti Ata ul Mustafa Amjadi who is the son of Huzoor Sayyidi Muhad'dith e Kabeer.

Law 1: Sadaqa e Fitr is Waajib (compulsory). One has his entire life to discharge it. In other words, if he has not discharged it in the stipulated period, he should do so now (currently). If it is not discharged it will not fall away, and to pay it now (currently) does not mean it is Qaza, but it will still be regarded as Ada (on time), even though it is Masnun to do so before the Namaaz of Eid. [Durr-e-Mukhtar, vol.2, pg.98/99]

Law 2: Sadaqa e Fitr is Waajib upon the person (i.e. upon an individual) and not upon his wealth, so if he dies, it will not be paid from his wealth. However, if his heirs wish to pay it as a favour of goodwill from their side, then they may do so. However, they are not obligated to do so. If the deceased made a Wasiyat that it should be paid, then it must be paid up from the one third of his wealth (from which he is permitted to make a Wasiyat), even if his heirs refuse to give permission for this. [Jauhira etc.]

LAW 3: Sadaqa e Fitr becomes Waajib on the Day of Eid as soon as the Subho Saadiq (True Dawn) appears. Therefore, the person who died before morning (Subho Saadiq), or if a person was wealthy and became a Faqeer, or if an unbeliever became a Muslim after the first light appeared, or if a child was born, or if a person who was a Faqeer became wealthy, then it is not Waajib upon them. However, if he died after first light appeared, or if an unbeliever became a Muslim before first light appeared, or if a child was born, or if he was a Faqeer and became wealthy, then it is Waajib upon them. [Alamgiri, vol.1, pg.192]

LAW 4: Sadaqa e Fitr is Waajib upon every Free Muslim who is Saahib e Nisaab, whose Nisaab is over and above his Haajat-e-Asliyah. In this, there is no condition of Aaqil (Sanity), Baaligh (puberty) and Maal Al Naami (Productive Wealth). [Durr-e-Mukhtar, vol.2, pg.99]. Maal Al Naami and Haajat-e-Asliyah have already been discussed earlier. You may peruse its circumstances there.

LAW 5: If a Na-Baaligh or Majnun (insane person) is Maalik-e-Nisaab (possessor of Nisaab) then Sadaqa e Fitr is Waajib upon them. Their guardian should pay it from their wealth. If the guardian did not pay it and the Na-Baaligh became Baaligh, or if the insanity of the insane person has gone away, then they should pay it up personally. If he was not personally Maalik-e-Nisaab and the guardian did not pay it, then after becoming Baaligh and returning to his proper senses, he is not responsible for its payment. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.99]

LAW 6: In order to pay Sadaqa e Fitr, it is also not a condition for the Maal (wealth/item) to remain intact. Even after the Maal is destroyed (lost), Sadaqa is still Waajib and it will not fall away (be waived); and this is opposite to the (ruling of) Zakaat and Ushr. Both these fall away after the Maal has been ruined (lost). [Durr-e-Mukhtar, vol.2, pg.100]

LAW 7: Sadaqa e Fitr is Waajib upon a male who is Maalik-e-Nisaab in his personal capacity, and on behalf of his minor children as well, if the minors are themselves not Maalik-e-Nisaab; and if they are Maalik-e-Nisaab, then the Sadaqa should be paid up from their wealth. In addition, the Sadaqa of a child who is not sane, even though he is Baaligh, if he is not Ghani, is the responsibility of his father, i.e. it is Waajib upon his father. However, if he is Ghani, then it must be paid from his wealth, be this if his insanity is Asli (i.e. he entered puberty in this state), or if it only occurred temporarily, in other words afterwards; then too the ruling for both is the same. [Durr-e-Mukhtar, Raddul Muhtar, vol.1, pg.101]

LAW 8: For Sadaqa e Fitr to become Waajib, fasting is not conditional. If one did not fast due to some valid reason, or due to travelling, or due to an illness, or old-age or (Allah Forbid) if he left out the fast without a valid reason, then in all the said cases, the Sadaqa e Fitr is still Waajib. [Raddul Muhtar, vol.2, pg.101]

LAW 9: If a female who has not as yet reached the age of puberty, but is capable to serve her husband, and has been given in Nikah, and she has been sent to the home of her husband as well; then in this case her Sadaqa e Fitr is not Waajib upon anyone. Neither is it Waajib upon her husband and nor is it Waajib upon her father; and if she is not capable of serving her husband, or if she has not been sent to the home of her husband as yet, then accordingly it is the responsibility of her father.

All this is only applicable if the female herself is not Maalik-e-Nisaab, otherwise in any case the Sadaqa e Fitr will be paid from her own wealth. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.101]

LAW 10: If there is no father (i.e. if he is deceased), then the paternal grandfather is in place of the father. It is Waajib upon him to give the Sadaqa on behalf of his needy grandsons and grand-daughters. [Durr-e-Mukhtar, vol.2, pg.101]

LAW 11: It is not Waajib upon the mother to pay Sadaqa on behalf of her minor children. [Raddul Muhtar, vol.2, pg.101]

LAW 12: Sadaqa e Fitr is Waajib upon the Maalik (Owner) on a servant (slave) which he has kept for his services, for the Mudab'bir[1] and for the Umme Wulad[2], even if the servant (slave) is debtor and is soaked in debt, and if the slave is pledged (i.e. a loan), and if the Maalik has over and above the Haajat-e-Asliyah by which he can pay off the debt, and he will still be Maalik-e-Nisaab, then the Sadaqa is also Waajib on the Master on his behalf as well. [Durr-e-Mukhtar, vol.2, pg.102; Alamgiri, vol.2, pg.192]

LAW 13: The Sadaqa on a slave that is for business purpose is not Waajib upon the owner, even if his price (value) is not equal to the Nisaab. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.102]

1: Mudab'bir refers to slave released by his master, whereby he declares that he should only be free after his death.

2: Umme Walad: a female slave who gave birth to a child accepted by her master as his offspring

LAW 14: If a slave was given on loan or the master entrusted him to someone (temporarily), then Fitrah is Waajib upon the Maalik. In addition, if he made a Man'nat saying that this slave will work for such and such person and after me his owner is such and such person, then the Fitrah is upon the Maalik and it is not the responsibility of the person in whose possession he is. [Durr-e-Mukhtar, vol.2, pg.102]

LAW 15: The Maalik is not liable for the Fitrah of a slave who has fled and for a slave who has been captured by Harbis (hostile kufaar). Similarly, if someone has kidnapped (the slave) and the kidnapper refuses he has done so, and there are no witnesses to this, then Fitrah for him is also not Waajib. However, once he is found, then Fitrah for the past year should be paid on his behalf. If the Harbi became Maalik of the slave, then even after he is returned, there is no Fitrah for him. [Alamgiri, vol.1, pg.193; Raddul Muhtar, vol.2, pg.103]

LAW 16: There is neither Fitrah on a Mukatib[1] and nor is the Maalik of the Mukatib liable for his Fitrah. Likewise, is the ruling regarding the Mukatib and slave of a Mazoon[2]. If the Mukatib is unable to fulfil the bond agreement then the Maalik is not liable for Fitrah for the past year. [Alamgiri, vol.1, pg.193]

LAW 17: If a slave is owned jointly by two or more persons, then neither is liable for his Fitrah. [Alamgiri, vol.1, pg.193]

1: Mukatib is a slave who is under bond with his master to pay for his freedom in instalments
2: Mazoon is a licenced or privileged slave

LAW 18: If a slave was sold and both the Baa'i (Seller) and Mushtari (buyer) have kept the choice of returning open, and the day of Eid ul Fitr arrived, and the time frame did not expire as yet, then his Fitrah is suspended. If the sale remained established, then the Fitrah is upon the Mushtari (buyer). [Alamgiri, vol.1, pg.193]

LAW 19: If the Mushtari rescinds due to Khiyar Al Ayb (Option of Defect) and/or Khiyar Al Ru'yah (Option of Physical Inspection), then if he had already taken ownership, the Fitrah is on the Mushtari, if not it is on the Baa'i. [Alamgiri, vol.1, pg.193]

LAW 20: If a slave was sold, but the deal became void, and the Mushtari returned him after taking ownership, or if he took ownership and then freed him after Eid, then in this case it is on the Baa'i. In addition, if he took ownership before Eid and freed him after Eid, then the Mushtari is liable for the Fitrah. [Alamgiri, vol.1, pg.193]

LAW 21: If the Maalik said to his slave, 'You are free when the day of Eid comes,' then the slave will be free on the day of Eid, and the Fitrah will be Waajib upon the Maalik. [Alamgiri, vol.1, pg.193]

LAW 22: A person is not liable for the Fitrah of his wife and his children who are Aaqil and Baaligh, even if they are cripple, and even if he is responsible for their provisions. [Durr-e-Mukhtar, vol.2, pg.102, etc.]

LAW 23: If a person paid the Fitrah of his wife and his Baaligh children without their permission, it will be counted as being discharged, on condition that the children are from his Ay'yal (i.e. his children whom he is providing for, i.e. his dependants). In other words, the provisions etc. of those children are his responsibility;

otherwise it will not be regarded as discharged if he does so, on behalf of his children without their permission. If the wife paid the Fitrah of her husband without his authority, it will not be discharged. [Alamgiri, vol.1, pg.193; Raddul Muhtar, vol.2, pg.102/103, etc.]

LAW 24: One is not liable for the Fitrah of his mother, father, paternal grandfather, paternal grandmother, and his Na-Baaligh brothers and for that of his other relatives; and he cannot pay it without their authority. [Alamgiri, vol.1, pg.193]

LAW 25: The quantity of Sadaqa e Fitr is half Sa' of wheat or its flour, or Sittu (parched drink). One Sa' of dates, or raisins or barley, or its flour, or Sittu. [Durr-e-Mukhtar, vol.2, pg.103; Alamgiri, vol.1, pg.191]

LAW 26: If wheat, barley, dates and raisins are given (as Fitrah), then this does not depend on the value (price). For example, if half a Sa' of good quality barley, which is equal to the value of one Sa' of barley, or quarter Sa' pure wheat that in value is equivalent to half Sa' of wheat, or half Sa' dates that are equivalent in value to half Sa' barley or half Sa' wheat is given, then all of this is impermissible. Only that quantity will be counted, which has been given. He is still liable to pay the rest, and he should pay this. [Alamgiri, vol.1, pg.192]

LAW 27: If a person gives half Sa' of barley and quarter Sa' wheat, or if he gave half Sa' dates, it is regarded as permissible. [Alamgiri, vol.1, pg.192; Raddul Muhtar, vol.2, pg.104]

LAW 28: If wheat and barley are mixed together and the quantity of wheat is more, then half Sa' should be given, otherwise one Sa' must be given. [Raddul Muhtar, vol.2, pg.104]

LAW 29: Instead of giving wheat and barley, it is more virtuous to give its flour, and even more virtuous than this is to give its value (in cash). One may either give the value of the wheat or the value of the barley or the value of dates, and in a time of shortage, it is better to give the actual thing instead of giving its value. If one gave bad (i.e. inferior) quality barley or wheat, then he should pay the balance, which is the price difference of good quality wheat or barley. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.106]

LAW 30: If one wishes to discharge his Fitrah with something other than the four stipulated items; such as rice, corn, millet or some other grain, or by way of something else, then he will have to consider the price. In other words, these items should be equivalent to the price of half Sa' wheat or one Sa' barley. If he gives bread, then even in this, the price will be considered, even if it is made from wheat or barley. [Durr-e-Mukhtar, vol.2, pg.104; Alamgiri, vol.1, pg.191/192]

LAW 31: In-depth research and caution is in this that the weight of one Sa' is equal to that of 351 rupees, and that of half Sa' is equal to that of 175 rupees and 25 cents. [Fatawa Razviy'yah] (This refers to the amounts at that time. Today half and one Sa' will be calculated as per present weights and prices as converted from the Sa'. A guide for this has been given in the beginning of this section).

LAW 32: To pay the Fitrah in advance is absolutely permissible as long as that person is present, on whose behalf it is being paid. This is even if he pays it before Ramadaan, and if he was not a Maalik-e-Nisaab at the time when it was being paid (on his behalf), so in this case the Fitrah will be valid. However, it is more virtuous to pay it after Subho Saadiq on the day of Eid, and before going towards the Eid Gah. [Durr-e-Mukhtar, vol.2, pg.106; Alamgiri, vol.1, pg.192]

LAW 33: It is best to give the Fitrah of one person to one Miskeen (needy person), and if it was split between a few people, then this is also permissible. Similarly, it is unanimously permissible to give one Miskeen the Fitrah of numerous people, even though they may all be mixed together. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.107]

LAW 34: If a husband authorised (ordered) his wife to pay his Fitrah and she mixed the wheat which was the Fitrah of her husband with the wheat of her Fitrah and gave it to a Faqeer, and the husband had not commanded her to mix them together, then in this situation the wife's Fitrah is discharged and the husband's Fitrah is not discharged, unless the tradition of mixing them is common practice (i.e. the norm), then in this case the husband's will also be discharged. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.107]

LAW 35: If the wife authorised the husband to give her Fitrah, and he mixed her wheat with his wheat, and gave it to the Faqeer, intending it for all, it is permissible. [Durr-e-Mukhtar, vol.3, pg.379]

LAW 36: The recipients of Sadaqa e Fitr are the same as those who are the recipients of Zakaat. In other words, you may give Fitrah to those to whom you may give Zakaat, and you are not permitted to give Fitrah to those, to whom you are not permitted to give Zakaat, with the exception of an 'Aamil' (Zakaat Collector appointed by the Islamic Ruler), because he is permitted to accept Zakaat, but not Fitrah. [Durr-e-Mukhtar, Raddul Muhtar, vol.1, pg.108]

LAW 37: You may give Fitrah to the wife of your slave, even though you are liable for her provisions. [Durr-e-Mukhtar, vol.2, pg.108]

Chapter 3

Begging & Asking For Financial Aid

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WHO MAY SEEK FINANCIAL AID (I.E. BEG) AND WHO MAY NOT?

In this day and age, we are faced with this common problem where those who are fit enough to work and feed others have forsaken themselves, thinking that what need is there to work and make effort and face difficulties, when you are getting what you need without any effort! They go out begging in an impermissible manner and then fill their stomachs by way of begging.

There are some amongst them that, leave alone labouring, they even regard some small business effort as lowly and cheap, and they regard begging, which is in reality shameless and disgraceful for such people, to be deserving of respect.

There are many who have made begging their profession. Such people have thousands of rupees in their homes, and they deal in usury (interest) and even do farming, but they do not leave begging.

When they are told about this, they say, 'It is our profession!' Bravo Sir! Do you want us to leave our profession? Whereas for such people to beg is Haraam (forbidden), and it is impermissible for those who are aware of their situation, to give them anything.

Now take heed to few Ahadith (on the next page) and observe what our Beloved Rasool ﷺ says about such beggars.

HADITH PERTAINING TO BEGGARS & BEGGING

HADITH 1: It is reported in Bukhari and Muslim from Abdullah ibn Umar رضی اللہ تعالی عنہما that Rasoolullah ﷺ said that, man will continue begging until he comes forth on the day of Qiyaamat, without even a single piece of flesh on his face, in other words, he will come forth completely shameless.

HADITH 2-4: Abu Dawud, Tirmizi, Nasa'i and Ibn Hib'ban reported from Samurah bin Jundub رضی اللہ عنہ that Rasoolullah ﷺ said, 'Begging is a type of abrasion (injury), whereby a man begs and pulls at his face, so whosoever wishes to, he may leave this abrasion on his face and whosoever wishes to, should abstain from it. Unless, a man asks his right from the one in authority, or if he asks (begs) in a situation from which he has no other option (then it is permissible).'

Similar narrations have been narrated by Imam Ahmed from Abdullah ibn Umar رضی اللہ تعالی عنہما and by Tabrani from Jaabir bin Abdullah رضی اللہ تعالی عنہما.

HADITH 5: Baihaqi reported from Abdullah ibn Ab'bas رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'If a person begs from the people whereas he is not afflicted by starvation, or he does not have as many children whom he is not able to provide for, then on the day of Qiyaamat he will come forth with no flesh on his face. Additionally, Huzoor ﷺ said, 'One who is not faced with starvation or he does not have as many children whom he is not able to provide for, yet he opens the door of begging, then Almighty Allah will open unto him the doors of starvation, from such a place which is not even in his heart.'

HADITH 6 & 7: Nasa'i reported from Aa'iz ibn Amr ﷺ that Rasoolullah ﷺ said, 'If people only knew what is in begging, then none would go to anyone in order to beg.'

A similar narration is mentioned in Tabrani from Abdullah ibn Ab'bas رضی اللہ تعالی عنہما.

HADITH 8 & 9: Imam Ahmed reported with a Merit of it being Jayyid i.e. a strong narration but not equal to Sahi), and Tabrani and Baz'zaz have reported from Imran bin Haseen رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'If a Ghani (well-to-do) person begs, on the day of Qiyaamat his face will be defective.'

The narration of Baz'zaz mentions that for a Ghani (well-to-do) person to beg is fire. If a little was given, then a little and if a lot was given, then a lot.

Similar narrations are narrated by Imam Ahmed and Baz'zaz from Thaubaan ﷺ.

HADITH 10: Tabrani has reported in Kabeer and Ibn Khuzaimah has reported in his Sahih and Tirmizi and Baihaqi have reported from Habshi bin Junadah ﷺ that Rasoolullah ﷺ said, 'One who begs without reason, it is as if he is eating embers (of fire).'

HADITH 11: Muslim and Ibn Majah report from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One who begs without reason is begging for embers, whether he asks for more or less.'

HADITH 12: Abu Dawud, Ibn Hib'ban and Ibn Khuzaimah report from Suhail bin Hanzaliya ﷺ that Rasoolullah ﷺ said, 'A person who begs even though he has enough to suffice for him, such a person wants more fire.' People asked, 'What is the amount that a person should have, over and above which he is not permitted to beg?' He ﷺ said, 'A meal for the morning and night.'

HADITH 13: Ibn Hib'ban reported in his Sahih from Ameer ul Mo'mineen Farooq-e-Azam ﷺ that Rasoolullah ﷺ said, 'One who asks from the people (i.e. begs) so that he may increase his wealth, then that is the intensely hot rock of Jahanum, so it is now up to him, whether he asks for less or whether he asks for more.'

HADITH 14 & 15: Imam Ahmed, Abu Ya'la and Baz'zaz have reported from Abdu Rahmaan ibn Auf ﷺ and Tabrani reported in Sagheer from Ummul Mo'mineen Umme Salma رضی الله تعالی عنها that Rasoolullah ﷺ said, 'Giving Sadaqa does not cause one's wealth to diminish, and by forgiving your rights, Allah will increase the honour of a servant on the day of Qiyaamat, and a servant will not open the door of begging, but Allah will open upon him the door of dependency.'

HADITH 16: Muslim, Abu Dawud and Nasa'i report from Qubaysa bin Makhariq ﷺ. He says, 'Once I was liable for compensation. I went to Rasoolullah ﷺ and asked (for assistance), so He ﷺ said, 'Wait here! When some amount of Sadaqa comes to me, I will give the command in your case.' He ﷺ then said, 'O Qubaysa! It is not Halaal to ask (i.e. beg) except in three things;

1. If someone stands as a guarantor (i.e. if he stood as guarantor of Diyat, i.e. blood money on behalf of any nation, or if he stood as an arbitrator in an internal dispute and took guarantee for any wealth

involved in it), so in this case he is allowed to ask until such time that he receives that amount, and he should then abstain.

2. If a person faced such a calamity which destroyed his wealth, then in this case he may ask help until he is able to have enough to survive comfortably.

3. If someone is faced with starvation, and three intellects from his community bear testimony that such and such person is afflicted by starvation, so in this case it is Halaal for him to ask for help (i.e. to beg), until such time that he gets sufficient to survive comfortably.

O Qubaysa! With the exception of these three things, it is Haraam to beg for anything else, for the one who begs (for other than this) is eating Haraam.'

HADITH 17 & 18: Imam Bukhari and Ibn Majah have reported from Zubair bin Aw'wam ﷺ that Rasoolullah ﷺ said, 'If a person takes with him a rope and carries a bundle of wood on his back and then sells it, and Allah saves his face from the embarrassment of begging; then this is better than begging from the people, even if the people give him anything or not.'

A similar narration is reported by Imam Bukhari, Imam Muslim, Imam Malik, Tirmizi and Nasa'i from Abu Hurairah ﷺ.

HADITH 19: Imam Malik, Imam Bukhari, Muslim, Abu Dawud and Nasa'i reported from Abdullah ibn Umar رضی الله تعالی عنهما that Rasoolullah ﷺ was on the pulpit and was advising with regards to abstaining from (asking for) Sadaqa and financial Aid (begging). He ﷺ said, 'The upper

hand is better than the lower hand. The upper hand is that of the giver and the lower hand is that of the beggar.'

HADITH 20: Imam Malik, Bukhari, Muslim Abu Dawud, Tirmizi and Nasa'i report from Abu Sa'eed Al Khudri ﷺ that some people from the Ansaar asked financial aid from Rasoolullah ﷺ, so He ﷺ blessed them with it. They asked again, and Rasoolullah ﷺ blessed them with it again. Then again they asked and Rasoolullah ﷺ blessed them with it once more, until such time that the wealth which was with (in the care of) Rasoolullah ﷺ was finished. He ﷺ then said, 'Whatever wealth I have with me, I will not hold it back from you, and those whom Allah will save, are those who wish to be saved from begging; and the one who wishes to become wealthy, Allah will make him wealthy, and for the one who wishes to be patient, Allah will grant him patience, and there is nothing greater than patience, and none has received a gift greater than patience.'

HADITH 21: Hazrat Ameer ul Mo'mineen Farooq-e-Azam ﷺ states that greed is dependency, and despondency is richness. When a person becomes despondent over something, he does not bother about it (any longer).

HADITH 22: Imam Bukhari and Imam Muslim report from Farooq-e-Azam ﷺ that he says, 'If Huzoor ﷺ would have given me (this financial aid), I would have said, give it to someone who is needier of it than me. He said, 'Take it and make it yours, and spend it in goodness. In addition, take that wealth which comes to you without you having to ask for it, and which comes to you without greed, and do not chase behind that which does not come to you.'

HADITH 23: Abu Dawud reports from Anas ﷺ that an Ansari presented himself before Nabi ﷺ and asked for some financial aid. He ﷺ said, 'Do you have nothing in your home?' He said, 'There is. We have sackcloth, one portion of which we cover ourselves with and the other portion of which we lay. There is also a wooden cup which we use to drink water.' He ﷺ said, 'Bring both of them to me.' He brought both of these. Rasoolullah ﷺ took it in His Blessed Hands and said, 'Who will buy this?' A person said, 'I will buy it for one Dirham.' He ﷺ said, 'Who will give more than one dirham for it?' He ﷺ mentioned this, two or three times, so another person said, 'I will buy it for two Dirhams.' He ﷺ handed over both these items to him and took the two dirhams. He ﷺ then handed the two dirhams over to the Ansari and said, 'Purchase grain with one dirham and leave it at home, and with the other one dirham purchase a hatchet and bring it to me.' He did so and brought it to Rasoolullah ﷺ. Rasoolullah ﷺ attached a handle to it with His Blessed Hands and then said, 'Go and cut wood and sell it, and you should not be seen here for fifteen days (in other words, do not come here for 15 days). He went out and began cutting and selling the wood. Now, when he returned (after 15 days), he had with him ten Dirhams. With few dirhams he purchased fabric and with few he purchased grain (food). Rasoolullah ﷺ said, 'This is better than that asking for financial aid, which will appear on your face as a blister on the day of Qiyaamat. To ask financial aid (beg) is not proper but for three people; one who becomes so dependent (in need) that it grounds him; or for a person who is liable for compensation which will cause him embarrassment (if not paid), or for a person who is guarantor for blood money, which will cause him harm (if not paid).'

HADITH 24 & 25: Abu Dawud and Tirmizi with the with the merit of a Sahih and Hasan narration, and Haakim with the benefit of merit of a sound narration, report from Abdullah bin Mas'ud ﷺ that Rasoolullah ﷺ said, 'One who is afflicted by starvation and he mentioned it to the people, then his starvation will not be terminated. In addition, if he had asked from Allah, then Allah would soon allow him to become independent, by either giving him death swiftly, or allowing him to become wealthy swiftly.'

The narration of Tabrani is from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One who is hungry and needy, but hid this from the people and asked from Allah, then it is the Divine Right of Allah that He will make abundant unto him the sustenance for one year.'

Some people who ask financial assistance (or beg) usually say, 'Give for the sake of Allah! Give in Allah's Name! Whereas to say this, has been strictly disallowed. One who does this has been mentioned to be accursed in one Hadith, and in one Hadith such people have been said to be the worst amongst the creation. If someone does ask in this manner, then if he is not asking for something bad, or the question itself is not offensive (in other words for such a person to seek financial aid, who is a solvent person, or a fit and healthy person who has the ability to earn), and one is able to fulfil the request of the person without any difficulty, then to fulfil it (i.e. give the assistance) is from good ethics, so that based on the apparent context of the Hadith, he too does not become deserving of the warning in the Hadith. If the one asking assistance is a professional beggar, then he should not be given anything. It should also be noted that one should not beg in the Masjid, especially by walking over the necks of the people on Friday, as to do this is Haraam. Some Ulama have mentioned that if you give one cent to a person begging in the Masjid,

you should give a further seventy cents Khayraat (for some goodness) as compensation for giving that one cent. Hazrat Maula Ali كرم الله وجهه الكريم saw a person begging on the day of Arafat on the plains of Arafat. He had him flogged and said, 'On a day like this, and in such a place, you are begging from other than Allah!'

After examining these few Ahadith, one will realise that to seek financial aid (or beg without valid reason) is a very disgraceful act. One should never ask for financial assistance without real need, and even in the time of need one should take heed to those things which have been disallowed. If one is really in a situation where he is forced to seek financial assistance, then in such a case he should not exaggerate, wherein you do not leave the person without taking all that you want, as this too has been disallowed.

Chapter 4

Nafil Sadaqaat (Optional Charity)

To spend in the way of Allah is a very blessed and virtuous action. What use is your wealth if it does not give you any real benefit? Only that is of benefit to you, which you ate, wore or spent for your hereafter, and not that which you hoarded and left for others. Take heed to few Ahadith concerning this, and try to act upon them. Allah is the One who gives Divine Guidance.

HADITH PERTAINING TO NAFIL CHARITY

HADITH 1: It is reported in Sahih Muslim Shareef from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'A servant says, my wealth! My wealth! Whereas he only benefits from three things in his wealth, that which he ate and finished; or that which he dressed in, and wore out, or that which you spent and stored for the hereafter, and with the exception of this (it is of no use to you), because you are to proceed (into the hereafter) and leave it to others.'

HADITH 2: Bukhari and Nasa'i report from Ibn Mas'ud ﷺ that Rasoolullah ﷺ said, 'Who is it from amongst you, who loves the wealth of his heirs more than his own wealth?' The Sahaba said, 'Ya Rasool'Allah ﷺ, there is none from amongst us whose wealth is not more beloved to him.' He ﷺ said, 'Your wealth is that, which you have already sent forth, and whatever you have left behind is the wealth of your heirs.'

HADITH 3: Imam Bukhari reports from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'If I had gold equivalent to (the mountain of) Uhad, it would not please me that it should remain with me for more than three nights, except an amount that I would keep for repaying any debts I may have.'

HADITH 4 & 5: It is reported in Sahih Muslim from him (i.e. Abu Hurairah ﷺ) that Rasoolullah ﷺ said, 'There is not a day, wherein two Angels do not descend, and one from amongst them says, 'O Allah! Recompense those who spend!,' and the other (Angel) says, 'O Allah! Ruin his wealth.''

A similar narration has been narrated by Imam Ahmed, Ibn Hib'ban and Haakim from Abu Dardah ﷺ.

HADITH 6: It is reported in Sahihain that Rasoolullah ﷺ said to Asma' رضی اللہ تعالی عنہا 'Spend and do not compute; otherwise, Allah will give you in limit, and do not stop (giving) or Allah will also with-hold (His Blessings) upon you. Spend (in the way of Allah) as much as you can afford.'

HADITH 7: It is reported in Sahihain from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'Almighty Allah said, 'O Ibn Adam! Spend (in My way) and I will spend (i.e. shower blessings) upon you.''

HADITH 8: It is in Sahih Muslim and Sunan Tirmizi from Abu Umama ﷺ that Rasoolullah ﷺ said, 'O Ibn Adam! To spend (in Allah's way) from your surplus (funds) is best for you, and to with-hold it is harmful to you, and there is no censure on the one who with-holds out of necessity, and start with them, who are in your care.'

HADITH 9: It is reported in Sahihain from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'The example of a miser and of a person who gives Sadaqa are like those two people who are clad in metal armour and their hands are tied to their chest and neck. Therefore, when the person who gave Sadaqa, distributed the Sadaqa, his armour became lose (spacious), and when the miser intends to give Sadaqa then every

link (of the armour) holds tightly in its place, so that even if he wishes to spread, it will not allow him the space (to do so).'

HADITH 10: It is reported in Sahih Muslim from Jabir ﷺ that Rasoolullah ﷺ said, 'Abstain from oppression, because on the Day of Qiyaamat oppression will bring darkness and abstain from miserliness as miserliness destroyed the past nations. It is the same miserliness which drove them to shed blood (kill) and drove them to consider that which is Haraam to be Halaal.'

HADITH 11: It is reported in Sahih Muslim from Abu Hurairah ﷺ that a person asked, 'Ya Rasool'Allah ﷺ! Which Sadaqa is most rewarding (i.e. when is it best to give Sadaqa)?' He ﷺ said, 'You should give Sadaqa (when you are) healthy and tight-fisted, and when you are troubled by the fear of poverty, and when you are hoping to become rich (meaning that to give Sadaqa when in this condition is best), and you must not delay (your Sadaqa to such length) that your soul has entered your throat (i.e. you are about to die), and then only do you say, Give this much to so and so, and this much to so and so, and this much is already in the possession of so and so (i.e. for the heirs).'

HADITH 12: It is in Sahihain from Abu Zarr ﷺ. He says, 'I presented myself before Rasoolullah ﷺ and Rasoolullah ﷺ was sitting in the shade of the Kaaba. On seeing me, He ﷺ said, 'I swear an Oath by the Rub of the Kaaba! They are in loss!' I said, 'My parents be sacrificed upon you O Nabi ﷺ! Who are these people?' Rasoolullah ﷺ said that, the very wealthy ones; except for those (amongst them) who do like this, and like this, and like this; to the front, to the back, to the right and to the left. In others words, those who spend in every instance and such people are very few.

HADITH 13: It is in Sunan Tirmizi from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'A generous man is close to Allah, close to Jannat, close to the people, and distant from hell-fire; and a miser is distant from Allah, distant from Jannat, distant from the people and close to hell-fire; and an ignorant generous man is more beloved to Allah, than a miserly worshipper.'

HADITH 14: It is in Sunan Abu Dawud from Abu Sa'eed Al Khudri ﷺ that Rasoolullah ﷺ said, 'For a person to give one dirham Sadaqa in his life (i.e. in good health) is better than giving ten dirhams at the time of his death.'

HADITH 15: Imam Ahmed, Nasa'i, Daarimi and Tirmizi report from Abu Dardah ﷺ that Rasoolullah ﷺ said, 'A person who gives Sadaqa or frees (a slave) near the time of his death, is like that person, who only gives a gift when he has become well-to-do.'

HADITH 16: It is in Sahih Muslim from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'A person was in the wilderness and a he heard a voice from the clouds saying to him, 'Water the orchard of such and such person!' The cloud moved to one corner and it rained over a rocky area, and all the water went into a trench. That person then followed the water. He then saw a person standing in his orchard, using a hoe to divert the water. He said, 'O servant of Allah! What is your name?' He said, Such and such name. It was the same name which he heard from the clouds. He said, 'O servant of Allah! Why do you ask my name?' He said, 'I heard a voice from the cloud which rained down this water that it said to me using your name, Water the orchard of such and such person. I would like to know, what is it that you do (through which water is sent down by taking your name)?' He answered, 'From whatever is cultivated, I give on third of it away as

Khayraat (i.e. in goodness), and one third my family and I eat, and I keep one third for re-cultivation.'

HADITH 17: It is in Sahihain from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'There were three persons in Bani Isra'eel, one suffering from leprosy, the other bald-headed and the third one blind. Allah willed to test them. Therefore, He sent an Angel who came to the one who was suffering from leprosy and said, 'What do you like most?' He said, 'Attractive colour and fine skin and the elimination of that which makes me detestable in the eyes of people.' The Angel ran his hand over him and his illness was no more and he was given attractive colour and beautiful skin. The Angel again said, 'Which materialistic item do you like most?' He said, 'Camels', or he said, 'The Cow (however, the narrator is doubtful about it, but from amongst the one suffering from leprosy and the one suffering from baldness one of them definitely said, The camel and the other said, The Cow).' In addition, he was given a she-camel, in a progressive stage of pregnancy, and while giving it to him he said, 'May Allah bless you in this.' He then came to the bald-headed person and said, 'What do you like most?' He said, 'Beautiful hair and removal of (this baldness) from me, due to which people dislike me.' The Angel ran his hand over him, and his illness was gone, and he was given beautiful hair, and the Angel said (to him), 'Which materialistic item do you like most?' He said, 'The Cow.' Therefore, he was given a pregnant cow, and while giving it to him the Angel said, 'May Allah bless you in this.' He then came to the blind man and said, 'What do you like most?' He said, '(I prefer that) Allah should restore my eyesight so that I may be able to see the people.' He ran his hand over him and Allah restored his eyesight, and the Angel then said, 'Which materialistic item do you like most?' He said, 'a flock of goats.' Therefore, he was given a pregnant goat and so the camel, the cow and the goat all gave birth to

young. It so happened, that for one, the entire valley flourished with camels and for the other one, the entire valley flourished with cows and for the third one, the entire valley flourished with goats. The Angel then approached the person who was (initially) suffering from leprosy. The Angel appeared to him in his (initial) form (i.e. in the form of a leper) and he said, 'I am a poor man and I have run out of provisions on my journey, and there is no way that I can reach my destination except with the help of Allah and through your assistance. I beg of you in His Name Who blessed you with this attractive colour and fine skin, and granted you this wealth, that you may assist me with a camel which will take me to the end of my journey.' He said, 'I have too many responsibilities to fulfil.' The Angel then said, 'It seems as if I recognise you. Were you not suffering from leprosy and people hated you and were you not destitute and Allah blessed you with wealth?' He said, 'I have inherited this property from my forefathers one generation after the other.' The Angel said, 'If you are a liar, may Allah revert you to your previous condition!' The Angel then approached the person who was initially bald-headed, in his initial form, and he said to him the same what he had said to him (i.e. to the leper) and he (the bald-headed man) gave him the same reply as he (the leper) had given him, so the Angel said, 'If you are a liar, may Allah revert you to your previous condition.' The Angel then approached the person who was previously blind, in his (initial) form and he said, 'I am destitute and a wayfarer. I have run out of my provisions, and today I have no way to reach my destination but with the help of Allah and then with your assistance, and I beg of you in the Name of the One Who restored your eyesight that you may give me a goat, through which I may be able to reach my destination on this journey.' He said, 'I was blind and Allah returned to me my eyesight; take whatever you wish to and leave (for me) whatever you wish to. By Allah! I shall not stand in your way today for whatever you take in

the Name of Allah.' The Angel said, 'Keep with you whatever you have in your possession.' The fact of the matter is that this was a test for the three of you. You have earned the pleasure of Allah, and they have earned the displeasure of Allah.'

HADITH 18: Imam Ahmed, Abu Dawud and Tirmizi report from Umme Bajeed رضی اللہ تعالیٰ عنہا wherein she says, 'A Miskeen stands at my door and I feel ashamed that I have nothing in my home which I can give him.' He ﷺ said, 'Give him something, even if it is a burnt hoof.'

HADITH 19: Baihaqi reported in Dala'il un Nubuw'wat that a piece of meat was presented as a gift to Ummul Mo'mineen Umme Salma رضی اللہ تعالیٰ عنہا and Rasoolullah ﷺ enjoyed meat. She asked the servant to keep it in the house, because Rasoolullah ﷺ will probably have it. She kept it in the cupboard. A beggar appeared at the door and said, 'Give some Sadaqa and Allah will bless you with Barakah.' The people (in the house) said, 'Allah bless you with Barakah (i.e. this is said when there is nothing to give), so the beggar left.' Rasoolullah ﷺ then arrived (at Umme Salma's رضی اللہ تعالیٰ عنہا) home and said, 'Is there something to eat at your place?' Ummul Mo'mineen رضی اللہ تعالیٰ عنہا said, 'Yes (there is)', and she asked the servant to bring out the meat. She went to get it and found a piece of rock in the cupboard (instead of the meat). Rasoolullah ﷺ said, 'As you had not given it to the beggar, the meat turned into (a piece of) rock.'

HADITH 20: Baihaqi reports in Sha'bul Imaan from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'Generosity is a tree in Jannat, which is generous. If you held onto its branch, that branch will never leave you, until such time that you enter Jannat, and miserliness is a tree in Hell, which is miserly, and if you held on to its branch, that branch will not release him, until it enters him into Hell.'

HADITH 21: Razeen reported from Ali ﷺ that Huzoor ﷺ said, 'Be swift in (giving) Sadaqa. Misfortune (i.e. calamity) does not leap over Sadaqa.'

HADITH 22: It is in Sahihain from Abu Musa Ash'ari ﷺ that Rasoolullah ﷺ said, 'Sadaqa is upon every Muslim.' People asked, 'If we do not have anything?' He ﷺ said, 'Work with your hands, and benefit yourself and also give Sadaqa.' They said, 'If we do not have the means to do so, or do not?' He ﷺ said, 'He should then assist a person in need who is troubled.' They said, 'If he does not do this as well?' He ﷺ said, 'He should then command what is righteous.' They said, 'And if he is unable to do this as well?' He ﷺ said, 'Abstain from 'Shar' (creating disruption) as this (by itself) will be regarded as his Sadaqa.''

HADITH 23: It is in Sahihain from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'To administer justice between two people is Sadaqa; to assist a man in mounting his beast (steed) or to assist him to load his luggage upon it is Sadaqa; and (to say) a good word is Sadaqa; and every step which on takes towards Namaaz is Sadaqa; and to remove some harmful thing from the road is Sadaqa.'

HADITH 24: It is in Sahih Bukhari and Muslim from Anas ﷺ that Rasoolullah ﷺ said, 'If a person plants trees or grows an orchard, and if some person, bird or animal eats out of it, then this is Sadaqa for him.'

HADITH 25 & 26: Sunan Tirmizi reports from Abu Zarr ﷺ that Rasoolullah ﷺ said, 'To smile in the presence of your brother is also Sadaqa, to command goodness is also Sadaqa, to forbid someone from wrong is also Sadaqa. To show the way to someone who has lost his

way is also Sadaqa, to assist one who has weak eyesight is also Sadaqa, to remove rocks, thorns and bones from the road is also Sadaqa. To pour water from your bucket into the bucket of your brother is also Sadaqa.'

A similar narration has been reported by Imam Ahmed and Tirmizi from Jaabir ﷺ.

HADITH 27: It is in Sahihain from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'A branch of a tree was in the middle of the road, so a Muslim went forth and said, 'I will remove this from the path of a Muslim, so that it may not harm him, so he (that person) was entered into Jannat.''

HADITH 28: Abu Dawud and Tirmizi report from Abu Sa'eed Al Khudri ﷺ that Rasoolullah ﷺ said, 'Allah will dress that Muslim with the green robes of Jannat, who clothes an unclothed Muslim; and Allah will feed that Muslim with fruits, who feeds some food to a hungry Muslim; and Allah will quench a Muslim with Raheeq Al Makhtoom (the pure drink of Jannat, also known as the 'Sealed Nectar'), who feeds water to another Muslim.'

HADITH 29: Imam Ahmed and Tirmizi report from Hazrat Ibn Ab'bas رضى الله تعالى عنهما that Rasoolullah ﷺ said, 'If a Muslim clothes another Muslim, then until such time that even one patch from that is still on that person, he (the giver) will be in the Divine Protection of Allah.'

HADITH 30 & 31: Tirmizi and Ibn Hib'ban reported from Anas ﷺ that Rasoolullah ﷺ said, 'Sadaqa extinguishes the Wrath of Allah, and it wards off a bad death.'

A similar narration is reported from Hazrat Abu Bakr Siddique ﷺ and other Sahaba e Kiraam رضی اللہ تعالیٰ عنہم

HADITH 32: Tirmizi has reported with the merit of accuracy from Ummul Mo'mineen Siddiqa رضی اللہ تعالیٰ عنہا that the people sacrificed a goat (so) Rasoolullah ﷺ said, 'What is left of it?' They said, 'With the exception of the shoulder, nothing else is remaining.' He ﷺ said, 'All of it remains, except its shoulder.'

HADITH 33: Abu Dawud, Tirmizi, Nasa'i, Ibn Khuzaimah and Ibn Hib'ban report from Abu Zarr ﷺ that Rasoolullah ﷺ said, 'There are three (types of) people whom Allah loves, and there are three (types of people) whom Allah dislikes. From those whom Allah loves is that person who comes to the people and asks (for some assistance) for the sake of Allah and not because of his relationship between him and them, but they do not give him (any assistance). Then one person from amongst them stayed behind and gave the person (what he needed) in secrecy, and none knew of this except Allah and the one whom he gave it to. (In addition) A nation who travel the entire night, until sleep becomes dearer to them than anything, so all of them lay down their heads (i.e. went to sleep). From amongst them, one person got up and started making Dua, and he recited the Ayats of Allah. (In addition) One person was on a (military) expedition, and he faced the enemy and they were overpowered. This person went forward, until he was killed or blessed with victory; and the three (persons) whom Almighty Allah dislikes, is an old man who commits adultery, a poor man who is arrogant, and a wealthy man who is unjust.'

HADITH 34: Tirmizi reported from Anas ﷺ that Rasoolullah ﷺ said, 'When Almighty Allah created the earth, it began to tremble, so Allah created the mountains and placed them on it, so the earth became

stable. The Angels were astonished at the strength of the mountains. They said, 'O Allah! Is there anything in your creation which is stronger than a mountain?' Almighty Allah said, 'Yes, Iron.' They said, 'Is there something stronger than iron?' Almighty Allah said, 'Yes, Fire.' They said, 'Is there something stronger (more powerful) than fire?' Allah said, 'Yes, water.' They said, 'Is there something more powerful than water?' Allah said, 'Yes, the wind.' They said, 'Is there something more powerful than the wind?' Almighty Allah said, 'Yes, Ibn Adam (a man) who gives Sadaqa with his right hand and even hides this (deed) from his left hand.'

HADITH 35: Nasa'i reported from Abu Zarr ﷺ that Rasoolullah ﷺ said, 'A Muslim who spends from all of his wealth on a pair of things, in the way of Allah, will be welcomed by the Gatekeepers of Jannat. Each of them will call him towards what he has (of reward).' I said, 'How will that be (i.e. how can he spend on a pair?' He ﷺ said, 'If he gives camels, he gives two camels, and if he gives cows, he gives two cows.'

HADITH 36: Imam Ahmed, Tirmizi and Ibn Majah have reported from Muadh ibn Jabl ﷺ that Rasoolullah ﷺ said, 'Sadaqa removes errors (shortcomings) just as water extinguishes fire.'

HADITH 37: Imam Ahmed reports from few Sahaba رضی اللہ تعالیٰ عنہم that Rasoolullah ﷺ said, 'The shade of a Muslim on the Day of Qiyaamat is his Sadaqa.'

HADITH 38: It is reported in Sahih Bukhari from Abu Hurairah and Hakeem bin Hizaam رضی اللہ تعالیٰ عنہما that Rasoolullah ﷺ said, 'The best Sadaqa is that which is given by a wealthy person, (in other words,

after what is left from his expenses), and start with your dependants (i.e. give first to them and then to others).'

HADITH 39: It is reported in Sahihain from Abu Mas'ud ﷺ that Rasoolullah ﷺ said, 'Whatever a Muslim spends on his family with the intention of (attaining) reward, is also Sadaqa.'

HADITH 40: It is in Sahihain from Zainab the wife of Abdullah ibn Mas'ud رضی الله تعالی عنهما that she had someone ask Rasoolullah ﷺ, 'Is it sufficient to give Sadaqa to your husband and to orphan children who are in your care?' He ﷺ said, 'There is a double reward in giving to them. One reward for kinship and one reward for the Sadaqa.'

HADITH 41: Imam Ahmed, Tirmizi, Nasa'i, Ibn Majah, and Daarimi have reported from Sulayman bin Aamir ﷺ that Rasool ﷺ said, 'To give Sadaqa to a Miskeen (needy person) is only Sadaqa, and to give Sadaqa to your relative, is Sadqa and also kinship (i.e. kindness to relatives).'

HADITH 42: Imam Bukhari and Muslim have reported from Ummul Mo'mineen Siddiqa رضی الله تعالی عنها that Rasoolullah ﷺ said, 'If a woman gives away some of the food from her home, (with goodness) and not to spoil it, then there is reward in giving this, and the husband will attain the reward for earning, and even the fund manager will receive the same.'

It is fact that the women do give away (food), and the husband does not object to this, and this should be to the extent to which it is acceptable. For example, if she gives away one or two rotis, just as it is common in India (etc.). However, if the husband has forbidden her

from doing this, and it is not the practice (i.e. the norm) there, then in this case it is not permissible for her to give (the food) away.

It is (also) reported in Tirmizi from Abu Umama ﷺ that Rasoolullah ﷺ said in his 'Farewell Sermon' that this is very good wealth.

HADITH 43: It is in Sahihain from Abu Musa Ash'ari ﷺ that Rasoolullah ﷺ said, 'A trustworthy Muslim store-man who fulfils the orders (of his employer) and pays in full what he has been asked to pay out, is regarded as one of two people who gave Sadaqa.'

HADITH 44: It is reported in Haakim and Tabrani Awsat from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One morsel of bread and a handful of dates or anything which is similar to it by which a Miskeen is benefitted; then by virtue of this, Almighty Allah will enter three people into Jannat; one, is the head of the house who commanded this; second, is his wife who prepares it, and third is the servant who delivers it to the Miskeen.' Rasoolullah ﷺ then said, 'Praise be to Allah who did not even leave out our servants.'

HADITH 45: Ibn Majah reported from Ibn Abdullah رضی الله تعالی عنهما. The narrator says that Rasoolullah ﷺ said in the Khutbah (Sermon), 'O People! Turn towards Allah before you die, and before becoming occupied, strive towards performing good deeds, and increase the closeness between you and your Rub by giving Sadaqa openly and in secrecy, so you will be blessed with sustenance (abundantly), and you will be assisted, and your failures will be distanced.'

HADITH 46: It is in Sahihain from Adi bin Haatim ﷺ that Rasoolullah ﷺ said, 'Allah Almighty will converse with every one of you. There will be none between Him and Almighty Allah. When he looks towards

his right, he will see all that which he had done in the past, and then he will look towards his left, he will see that which he did in the past, then when he looks in front, he will see the fire in front of him. Therefore, save yourself from the fire, even if it is by giving a piece of date (in charity).'

Similar narrations are reported from Abdullah ibn Mas'ud, Siddique e Akbar, Ummul Mo'mineen Siddiqa, Anas, Abu Hurairah, Abu Umama, Nu'man bin Bashir and other Sahaba e Kiraam رضی اللہ تعالیٰ عنہم.

HADITH 47: Abu Ya'la reports from Jaabir ﷺ and Tirmizi reports from Muadh ibn Jabl ﷺ that Rasoolullah ﷺ said, 'Sadaqa extinguishes errors (shortcomings), just as water extinguishes fire.'

HADITH 48: Imam Ahmed, Ibn Khuzaimah, Ibn Hib'ban and Haakim report from Uqba bin Aamir ﷺ that Rasoolullah ﷺ said, 'On the Day of Qiyaamat, every person will be in the shade of his Sadaqa, until such time that the judgement is passed amongst the people.'

The narration of Tabrani also mentions that, Sadaqa expels the intense heat of the grave.

HADITH 49: Tabrani and Baihaqi report from Hasan Basri ﷺ a Mursal narration, that Rasoolullah ﷺ said, 'Almighty Allah says, 'O Ibn Adam! Store some from your treasures with Me, and it will not burn, sink, or be stolen. I will give it to you in full, at a time when you will need it most."

HADITH 50 & 51: Imam Ahmed, Baz'zaz, Tabrani, Ibn Khuzaimah, Haakim and Baihaqi report from Buraidah ﷺ and Baihaqi (also) reports from Abu Zarr ﷺ that, 'When a person takes out any Sadaqa, then it exits, tearing through the jaws of seventy shaitaans.'

HADITH 52: Tabrani reports from Amr bin Awf ﷺ that Rasoolullah ﷺ said, 'The Sadaqa of a Muslim is a means for increase in his lifespan, and it wards off bad death, and due to it Almighty Allah distances (from that person) arrogance and pride.'

HADITH 53: Tabrani Kabeer reported from Rafi' bin Khadij ﷺ that Rasoolullah ﷺ said, 'Sadaqa closes off the doors of seventy evils.'

HADITH 54: Tirmizi, Ibn Khuzaimah, Ibn Hib'ban and Haakim report from Haarith Ash'ari ﷺ that Rasoolullah ﷺ said that, 'Allah sent down Wahi (revelation) of five things upon Hazrat Yahya bin Hazrat Zakariyah عليهما الصلوة والسلام that, he should personally practice good and command the Bani Isra'eel to do the same. It is mentioned that one of that was, he commanded you to give Sadaqa, and the parable of this is like a man who has been captured (imprisoned) by his enemies and they tied his hands to his neck, and brought him forth to be killed, (and he says) I can save myself (ransom myself) now with whatever little I have, and then he gives all of it to save his life.'

HADITH 55: Ibn Khuzaimah, Ibn Hib'ban and Haakim report from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One who amasses Haraam wealth and then gives from it in Sadaqa, then there is no reward in this for him, but rather there is sin.'

HADITH 56: Abu Dawud, Ibn Khuzaimah and Haakim report from Abu Hurairah ﷺ that he said, 'Ya Rasool'Allah ﷺ! Which Sadaqa (charity) is most virtuous?' Rasool'Allah ﷺ said, '(The Sadaqa of a) person who has minimal provisions, yet he makes effort to give Sadaqa.''

HADITH 57: Nasa'i and Ibn Khuzaimah and Ibn Hib'ban report from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One dirham has superseded one hundred thousand dirhams.' Someone asked, 'Ya Rasool'Allah ﷺ! How did this happen?' Rasool'Allah ﷺ said, 'A person who has an abundance of wealth gave one hundred thousand dirhams in Sadaqa; and there is another person who has only two dirhams, and he gave from it one dirham in Sadaqa.'

Chapter 5

Fasting

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VIRTUES OF FASTING
IN THE LIGHT OF QUR'AN

Almighty Allah says,

يٰٓاَيُّهَا الَّذِيْنَ اٰمَنُوْا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِيْنَ
مِنْ قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُوْنَ ﴿١٨٣﴾ اَيَّامًا مَّعْدُوْدٰتٍ ؕ فَمَنْ كَانَ مِنْكُمْ
مَّرِيْضًا اَوْ عَلٰى سَفَرٍ فَعِدَّةٌ مِّنْ اَيَّامٍ اُخَرَ ؕ وَعَلَى الَّذِيْنَ يُطِيْقُوْنَهٗ
فِدْيَةٌ طَعَامُ مِسْكِيْنٍ ؕ فَمَنْ تَطَوَّعَ خَيْرًا فَهُوَ خَيْرٌ لَّهٗ ؕ وَ اَنْ
تَصُوْمُوْا خَيْرٌ لَّكُمْ اِنْ كُنْتُمْ تَعْلَمُوْنَ ﴿١٨٤﴾ شَهْرُ رَمَضَانَ الَّذِيْٓ اُنْزِلَ
فِيْهِ الْقُرْاٰنُ هُدًى لِّلنَّاسِ وَبَيِّنٰتٍ مِّنَ الْهُدٰى وَالْفُرْقَانِ ۚ فَمَنْ شَهِدَ
مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ ؕ وَمَنْ كَانَ مَرِيْضًا اَوْ عَلٰى سَفَرٍ فَعِدَّةٌ مِّنْ
اَيَّامٍ اُخَرَ ؕ يُرِيْدُ اللّٰهُ بِكُمُ الْيُسْرَ وَلَا يُرِيْدُ بِكُمُ الْعُسْرَ ۫ وَ
لِتُكْمِلُوا الْعِدَّةَ وَ لِتُكَبِّرُوا اللّٰهَ عَلٰى مَا هَدٰىكُمْ وَلَعَلَّكُمْ
تَشْكُرُوْنَ ﴿١٨٥﴾ وَ اِذَا سَاَلَكَ عِبَادِيْ عَنِّيْ فَاِنِّيْ قَرِيْبٌ ؕ اُجِيْبُ دَعْوَةَ
الدَّاعِ اِذَا دَعَانِ ۙ فَلْيَسْتَجِيْبُوْا لِيْ وَلْيُؤْمِنُوْا بِيْ لَعَلَّهُمْ يَرْشُدُوْنَ ﴿١٨٦﴾

O' you who believe! Fasting has been made Fard (obligatory) upon you, just as it was made Fard (obligatory) upon those before you, so that you may attain piety. (These) are a stipulated number of days (only); so whosoever from among you is ill, or is on a journey, then (keep) the

same number of fasts in other days; and for those who do not have the strength to do so, he must feed a destitute person in lieu of it; so whosoever does more virtuous deeds on his own accord, then for him, this is more beneficial; and fasting is more virtuous for you, if only you know. The month of Ramadaan in which the Holy Qur'an was revealed; (holds) guidance and (true) direction, and clear words of judgement; so whosoever from amongst you observes this month, he must surely fast; and whoever is ill or on a journey, he should (keep) the same number of fasts in other days; Allah Wills comfort for you, and He does not Will suffering for you; so that you (easily) complete the counting. And glorify Allah's Divine Greatness, for having guided you, and so that you may be grateful. (And O my Beloved ﷺ)! When My servants ask you about me, then indeed I am close. I answer (fulfil) the Dua (invocation) of the one who invokes Me, so they must obey My Commands, and have Imaan (believe) in Me, so that they may attain (the path of) Guidance. It is Halaal (lawful) for you to go your wives during the nights of fasting; they are your garb and you are their garb; Allah knows that you were deluding yourselves, so He accepted your repentance, and pardoned you. Therefore now, be intimate with them, and seek that which Allah has written in your destiny. And eat and drink, until the white streak, becomes distinctly visible to you from the streak of darkness (of True dawn, breaking out); then until night appears, complete the fast. And, do not touch women whilst you are performing I'tekaaf (in seclusion for Allah) in the Masjid. These are the parameters set by Allah, so do not go to them. In this way, Almighty Allah explains His Verses to the people, so that they may reach piety. [Surah Baqarah, Verses 183-187]

Fasting is a very blessed Ibaadat (worship). Many Ahadith have been reported concerning the virtues of Fasting. Few from amongst them are being quoted here.

VIRTUES OF FASTING IN THE LIGHT OF HADITH

HADITH 1: It in in Sahih Bukhari and Sahih Muslim from Abu Hurairah رضي الله عنه that Rasoolullah ﷺ said, 'When Ramadaan arrives; the doors of the sky are opened.'

It is mentioned in one narration that the Doors of Mercy are opened, and the Doors of Hell are shut, and the shaitaans are bound in chains (shackles).

It is mentioned in the narration of Imam Ahmed, Tirmizi and Ibn Majah that when the first night of Ramadaan arrives, the shaitaans and mischievous Jins are imprisoned, and the doors of Jahanum are shut, and not a single door of it is opened; and the Doors of Jannat are opened, so not a single door of it is closed, and the announcer announces, 'O You who desire goodness! Take heed. (And) O' you who desire mischief! Abstain, and there are some who are released from Jahanum, and this happens on every night.'

Imam Ahmed and Nasa'i have also reported from him (Abu Hurairah رضي الله عنه) that Rasoolullah ﷺ said, 'Ramadaan has arrived. It is a month of blessings. Allah has made its fasts Fard (obligatory) upon you. The doors of the sky are opened in it, and the doors of hell are shut, and the cursed shaitaans are shackled; and in it, there is a night which is greater than a thousand months. One who is deprived from its goodness, is undoubtedly deprived.'

HADITH 2: Ibn Majah reports for Anas رضي الله عنه who says, the month of Ramadaan arrived, and Rasoolullah ﷺ said, 'This month has come, and in it there is a night which is greater than a thousand months. He,

who is deprived of it, is deprived of everything, and only he will be deprived of its goodness, who is completely deprived.'

HADITH 3: Baihaqi reports from Ibn Ab'bas رضى الله تعالى عنهما who says, 'When the month of Ramadaan would come, Rasoolullah ﷺ would free all the captives, and he would bless every person who requested something.'

HADITH 4: Baihaqi reports in Sha'bul Imaan from Ibn Umar رضى الله تعالى عنهما that Rasoolullah ﷺ said, 'Jannat is adorned from the beginning of the year until the following year, for Ramadaan. When the first day of Ramadaan arrives, a breeze blows from under the leaves of Jannat, passing over the Maidens of Jannat. They say, 'O Rab! Make those men from amongst your servants our husbands, through whom our eyes may become cool, and may their eyes be cooled through us.''

HADITH 5: Imam Ahmed reports from Abu Hurairah رضي الله عنه that Rasoolullah ﷺ said, 'This Ummat is pardoned on the final eve of Ramadaan. It was asked, is that (Eve) the Eve of Qadr (laylatul Qadr)?' He ﷺ said, 'No, but the labourers are given their full payment, only when they complete their work (duties).'

HADITH 6: Baihaqi reports in Sha'bul Imaan from Salman Farsi رضي الله عنه who says, 'Rasoolullah ﷺ delivered a sermon on the last day of Sha'baan. (He ﷺ said) O People! The month of excellence and blessings has come to you, wherein there is a night which is greater than a thousand months. Allah has made fasting in it Fard, and to stand (i.e. perform Namaaz) during its nights is Tataw'wu (i.e. Sunnat). One who does any good action in this month, it is as if he has performed a Fard action during any other month, and one who

performs any Fard in this month, and then it is like performing seventy Fard on any other day. This is a month of patience, and the reward for patience is Jannat. This is a month of goodness and compassion, and in this month the sustenance of a believer is increased. There is forgiveness for the sins of the one who provides Iftaar in (this month) for a fasting person, and his neck will be freed from the fire (i.e. he will be released), and the one providing the Iftaar will be rewarded equal to the one fasting person, without there being any shortage in his reward. We said, 'Ya Rasool'Allah ﷺ, not every one of us is able to get that through which we may provide Iftaar (to someone).' Rasoolullah ﷺ said, 'Allah will (even) afford this reward to a person who provides Iftaar (to the fasting person) with a sip of milk, or a single date, or a single sip of water; and for the one who fed a stomach full of food to a fasting person, (then) Allah will feed him from my Haudh (pond), and he will never be thirsty again, and (in this way) he will enter into Jannat. This is that month, the beginning of which is Rahmat (Mercy), and the middle of which is Maghfirat (forgiveness), and the end of which is salvation from the fire of Hell. One who lessens (the work) of his servant in this month, Allah will forgive him, and free him from Jahanum.'

HADITH 7: It is in Sahihain, Sunan Tirmizi, Nasa'i and in the Sahih of Ibn Khuzaimah from Sahl bin Sa'ad رضي الله عنه that Rasoolullah ﷺ said, 'There are eight doors of Jannat. The name of one of its Doors is Ray'yan. Only those who keep fast will enter through this door.'

HADITH 8: It is reported in Bukhari and Muslim from Abu Hurairah رضي الله عنه that Rasoolullah ﷺ said, 'One who remains standing (in Ibaadat) during the nights of Ramadaan, for the sake of Imaan and to attain reward, his past sins will be forgiven; and the one who stands (in

Ibaadat) on laylatul Qadr, for the sake of Imaan and to attain reward, then his past sins will be forgiven.'

HADITH 9: Imam Ahmed and Haakim, and Tabrani has mentioned in Kabeer from Ibn Abid-Dunya ﷺ, and Baihaqi has mentioned in Sha'bul Imaan from Abdullah ibn Amr رضی الله تعالی عنهما that Rasoolullah ﷺ said, 'Fasting and the Qur'an will make Shafa'at (intercede) for a servant. His fasts will say, 'O Rab! I held him back from eating and from his desires during the day, (so) accept my intercession on his behalf.' The Qur'an will say, 'O Rab! I held him back from sleeping at night (so) accept my intercession on his behalf.' Both their intercessions will be accepted.'

HADITH 10: It is in Sahihain from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'In reward for every good deed of a person, he is given a reward which is more than ten, up to seven hundred. Almighty Allah says, 'Except for fasting, as that is for Me, and I will give its reward. My servant abstains from his desires and from food for My sake.' There are two happy moments for a fasting person, one at the time of Iftaar, and the other is when he meets with his Rab (Creator). In addition, the odour from the mouth of a fasting person is more beloved to Allah than the fragrance of musk. Also, fasting is a shield, and when a person is fasting, he should neither speak vulgar words, and nor should he yell, and if someone swears at him, or intends to pick a fight with him, he should say, 'I am Fasting!"

Similar narrations have been reported by Imam Malik, Abu Dawud, Tirmizi, Nasa'i and Ibn Khuzaimah.

HADITH 11: It is reported in Tabrani Awsat and in Baihaqi from Ibn Umar رضی الله تعالی عنهما that Rasoolullah ﷺ said, 'Near Allah, Deeds are of seven types: Those who perform two Waajib actions, and the reward of two are equal to it; and the reward of one action is tenfold, and the recompense for one is seven hundred, and there is one such action (deed), the reward of which only Allah Knows. Of those two who perform Waajib deeds:

1. The first is he, who meets with Allah in a condition, whereby he made Ibaadat purely for Allah, and he did not associate any partners with Allah. For him, Jannat is Waajib (compulsory).

2. The second is he, who met with Allah in such a condition, that he associated partners to Allah, so for him is Jahanum.

3. The one who did wrong will be punished accordingly

4. The one who intended to do good, but did not do so, will also be given one reward

5. In addition the one who performed the good deed will receive tenfold Thawaab

6. And the one who spent in the way of Allah will receive the reward of seven hundred (good deeds). For one dirham he will get (the reward of) seven hundred dirhams, and for one dinar, he will receive the Sawaab of seven hundred dinars, and fasting is for Allah, and none except Allah knows its (true) reward.

HADITH 12 TO 15: Imam Ahmed has reported on the merit of a Hasan narration, and Baihaqi has (also) reported that Rasoolullah ﷺ said, 'Fasting is a shield, and a strong fortress as protection from hell.'

Similar narrations have been reported by Hazrat Jaabir, Hazrat Uthman bin Abil A'as and Hazrat Muadh ibn Jabl رضی اللہ تعالیٰ عنہم

HADITH 16 & 17: Abu Ya'la and Baihaqi report from Salama bin Qais رضی اللہ عنہ and Ahmed and Baz'zaz report from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'The one who fasted for one day for the pleasure of Allah, Almighty Allah will keep him at such a distance from Jahanum, like a crow, which started flying since it was a chick, and died only after it became old.'

HADITH 18: Abu Ya'la and Tabrani report from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'If a person kept Nafil fast for one day, and gold equivalent to the entire earth is given to him, it will still not fulfil its reward. He will only get its (true) reward on the Day of Qiyaamat.'

HADITH 19: Ibn Majah reported from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'There is Zakaat for everything, and the Zakaat (charity) of the body is fasting, and fasting is half of patience.'

HADITH 20: Nasa'i, Ibn Khuzaimah and Haakim have reported from Abu Umama رضی اللہ عنہ who says, 'I said, 'Ya Rasool'Allah ﷺ! Command me with regards to any action!' He ﷺ said, 'Make fasting necessary, for there is no action (deed) like it.'' He (Abu Umama رضی اللہ عنہ) then asked the same and He ﷺ gave the same command.

HADITH 21 TO 26: Bukhari, Muslim, Tirmizi and Nasa'i have reported from Abu Sa'eed ﷺ that Rasoolullah ﷺ said, 'That person who fasts for one day in the way of Allah, Almighty Allah will keep his face away at a distance of seventy years from hell.'

Similar narrations are reported by Nasa'i, Tirmizi and Ibn Majah from Abu Hurairah ﷺ.

Tabrani reports from Abu Dardah ﷺ and Tirmizi reports from Abu Umama ﷺ that He ﷺ said, 'Allah Almighty will put such a huge trench between him and Jahanum, like the distance between the sky and the earth.'

The narration of Tabrani is from Amr bin Abasah ﷺ which mentions that, Jahanum will be away from him at a distance of one hundred years.

The narration of Abu Ya'la which is from Muadh ibn Anas ﷺ mentions that, 'If one keeps fast in Ramadaan then he will be kept so far away from Jahanum, which is the distance of the speed of a fast horse which travels a journey of one hundred years.'

HADITH 27: Baihaqi reports from Abdullah ibn A'as رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'The Dua of a fasting person is not rejected at the time of Iftaar.'

HADITH 28: Imam Ahmed, Tirmizi, Ibn Majah, Ibn Khuzaimah and Ibn Hib'ban report from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'The Dua of three people is not rejected; the Dua of a fasting person, when he makes Iftaar, the Dua of a Just King, and the Dua of one who is oppressed. Allah elevates this above the clouds, and the doors of the

sky are opened for it, and Almighty Allah says, 'I swear by My Honour and Majesty! I will definitely assist you, even if it is after a short time.''

HADITH 29: Ibn Hib'ban and Baihaqi report from Abu Sa'eed Al Khudri ﷺ that Nabi ﷺ said, 'The one who kept the fast of Ramadaan and recognised its limitations, and he abstained from that which he had to abstain from, then this is the compensation for whatever he did in the past.'

HADITH 30: Ibn Majah reports from Ibn Ab'bas رضى الله تعالى عنهما that Rasoolullah ﷺ said, 'One who got the month of Ramadaan in Makkah and kept fast, and stood (in Ibaadat) at night for as long as he was able to, so compared to any other place, Almighty Allah will bless him with the Sawaab of one hundred thousand Ramadaans, and he will attain the Sawaab of freeing one neck (freeing a person) daily, and every night he will attain the reward of freeing one neck, and daily he will get the reward of saddling someone on a horse in Jihad. Also, during every day virtuous deeds will be written (for him) and during every night virtuous deeds will be written (for him).'

HADITH 31: Baihaqi reports from Jaabir bin Abdullah ﷺ that Rasoolullah ﷺ said, 'My Ummat has been blessed with five things in the month of Ramadaan, which was not given to any other Nabi before Me.

1. When the first night of Ramadaan arrives, Almighty Allah places His Divine Sight on them, and on whomsoever He places His Divine Sight, he will never be punished.

2. The evening odour of their mouths is more beloved to Allah than the fragrance of musk.

3. The Angels make Istighfar for them during every day and night (of Ramadaan).

4. Allah Almighty commands Jannat by saying, 'Prepare yourself, and adorn yourself for my servants, who will soon leave the exhaustion of the world and come here to relax.'

5. When the final night of Ramadaan dawns, He forgives them all.

Someone asked, 'Is that on the night of Qadr (Laylatul Qadr)?' He ﷺ said, 'No! Did you not see that a labourer labours and only when he completes his work, he receives payment (for his efforts)?'

HADITH 32 TO 34: Haakim reported from Ka'ab bin Ujrah رضي الله عنه that Rasoolullah ﷺ said, 'All of you gather near my Mimbar (pulpit)!' We all gathered there. When Rasoolullah ﷺ ascended onto the first step of the Mimbar (Pulpit), He ﷺ said, 'Aameen.' He ﷺ then ascended onto the second step, and said, 'Aameen.' He ﷺ then ascended onto the third step and (again) said, 'Aameen.' When He ﷺ descended from the Mimbar we said, 'Today we have heard from you ﷺ something which we have never heard before.' He ﷺ said, 'Jibra'eel عليه السلام appeared to me and said, 'May that person be shunned, who attained the Ramadaan and did not have himself forgiven.' Therefore, I said, 'Aameen!' When I ascended the second step, He said, 'May that person be shunned, before whom My Name (i.e. (Nabi ﷺ Name) is mentioned and he does not send Durood upon me.' I said, 'Aameen!' When I ascended the third step, he said, 'May that person be shunned who got both his mother and father, or either one of them in their old age, but he could not go into Jannat by serving them.' Therefore, I said, 'Aameen!"

Similar narrations were presented by Ibn Hib'ban from Abu Hurairah ﷺ and Hasan bin Malik bin Huwairith ﷺ.

HADITH 35: Asbahani reported from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'When the first night of Ramadaan arrives, Almighty Allah places his Divine Sight upon His creation, and when Almighty Allah places His Divine Sight on any from amongst His servants, He shall never punish him; and every day He frees one million people from Jahanum, and when 29th night arrives, then He frees on that night equal to all those whom he freed (for the entire month). Then, when the night of Eid ul Fitr arrives, the Angels rejoice and Allah manifests His Special Noor. He says to the Angels, 'O congregation of Angels! What is the recompense for the labourer who has completed his work?' The Angels say, 'He should be given his full recompense.' Allah Almighty says, 'I make you My witness, that I have forgiven all of them.''

HADITH 36: Ibn Khuzaimah reported a very lengthy narration from Ibn Mas'ud Ghiffari ﷺ. In that Hadith it is also mentioned that, Rasoolullah ﷺ said, 'If only the servants really knew what Ramadaan is, then My Ummah would have wished for Ramadaan to last for the entire year.'

HADITH 37: Baz'zaar, Ibn Khuzaimah and Ibn Hib'ban reported from Amr bin Mur'rah ﷺ that a person (once) said, 'Ya Rasool'Allah ﷺ tell me, if I bear testimony that there is none worthy of worship except Allah, and that you are the Rasool of Allah, and if I perform my five daily Namaaz, and give my Zakaat, and if I fast in Ramadaan, and if I remain standing (in Ibaadat) during the nights, then which category of people will I be in?' He ﷺ said, '(you will be) from amongst the Siddiqeen and the Shuhada.'

LAWS OF JURISPRUDENCE

According to the customary terminology of Shariah, 'Fasting' refers to a Muslim purposely (intentionally) abstaining from eating, drinking or sexual intimacy, from Subho Saadiq until sunset, with the intention of Ibaadat (worshipping Allah). (In order to Fast), a female must be free from Haidh (Menstruation) and Nifaas (post-natal bleeding). [General Books of Fiqh, Tanweerul Absaar, vol.2, pg.110]

LAW 1: There are three levels of fasting:

1. The Fasting of the common folk: This is to withhold the stomach and private parts from eating, drinking and sexually intimacy.

2. The Fasting of the (spiritually) Elite: With the exception of the above, they protect their ears, eyes, tongues, hands, feet and their entire body from sinful acts.

3. The Fasting of the (spiritually) Super Elite: they abstain from everything which is not for the sake of Allah completely, and they direct their attention only towards Him (Allah). [Jauhira Nayyira]

LAW 2: The Five Types (Categories) of Fasting are:

1. Fard
2. Waajib
3. Nafil
4. Makruh e Tahreemi
5. Tanzeehi e Tanzeehi

Makruh Tahreemi, Fard and Waajib are of two types: Mu'ayyan (Defined) and Ghayr Mu'ayyan (Not defined)[1]. Fard e Mu'ayyan, such as the current (fasts) of Ramadaan and Fard e Ghayr Mu'ayyan, such as the Qaza of Ramadaan, and the Kaffarah for fasting. Waajib e Mu'ayyan, such as the defined Nazr (Vow), and Ghayr Mu'ayyan, such as Nazr e Mutlaq (i.e. unrestricted Nazr).

Nafil is in two categories: Nafil Masnun and Nafil Mustahab, such as Ashura, in other words, the fast of the 10th of Muharram, and with it the fast of the 9th as well, and the 13th 14th and 15th of every (lunar) month, and the fast of Arafah, the fasts of the Monday and Thursday, and the six fasts after Eid and the Sawm Dawud ﷺ, in other words, to keep fast on one day and to have Iftaar on one day.

Makruh e Tanzeehi: Such as, to fast only on a Saturday; also, the fast of the New year, and Mahrgan[2] and the fast of Sawm e Dahr (i.e. fasting always) and Sawm e Sukoot (i.e. such a fast in which one does not speak at all), Sawm e Wisaal[3] (i.e. to keep one fast after the other without Iftaar). All of these are Makruh e Tanzeehi.

Makruh e Tahreemi: such as the fasts on the day of Eid and on the Days of Tashreeq.[4] [Alamgiri, vol.1, pg. 194; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg. 115/116]

1: Defined here refers to that which is set to a particular date, such as the fast of Ramadaan, and not defined, means not set to a particular date, like Qaza of the fasts etc.

2: On the day when Dahaak (in Iran) was conquered and Fareedun became the King

3: Nabi ﷺ used to keep Sawm e Wisaal as this was within His ﷺ Unique capabilities, and this was for Him ﷺ and not for us.

4: In other words to fast on Eid ul Fitr, Eid ul Adha, and on the 11th, 12th and 13th of Zul-Hijjah.

LAW 3: There different reasons (motives) of Fasting. The reason (motive) for the fasting of Ramadaan is the coming of the month of Ramadaan, the reason for the fasting of Nazr (Vow) is the taking of a Man'nat; the reason for the Fasting for Kaffarah is due to breaking a Qasm (Oath), or due to a killing or due to Zihaar (i.e. when the husband compares his wife with a woman within his prohibited relationship e.g. his mother or sister). [Alamgiri, vol.1, pg. 194]

LAW 4: The fast for the month of Ramadaan will only become Fard when the starting time which is stipulated for keeping the fast is established, in other words, from Subho Saadiq (true dawn) up to Zahwa e Kubra (Midday as stipulated by Shariah), because the Niyyat (intention) of fasting cannot be made after this. Thus, the fast cannot be kept (if this time expires), and Niyyat can be made at night, but it is not the appropriate time for fasting. Therefore, if a Majnun (insane person) regained his senses during any night of Ramadaan, and his morning was in the condition of Junoon (insanity), or if he regained his senses on any day after Zahwa e Kubra, then he is not liable for the Qaza of the fasts of Ramadaan, on condition that the entire Ramadaan passes in this Junoon (state of insanity). Additionally, if he got even one day (in the month) and if he got the time, in which he is able to make the Niyyat, then the Qaza of the entire Ramadaan is necessary upon him. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.111/112]

LAW 5: If one made the intention of fasting at night and in the morning he was in an unconscious state, which lasted for many days, then in this case, only the fast of the first day is valid. Therefore, he must keep Qaza for the fasts of the other days, even if the entire Ramadaan passed in this fainted (unconscious) state, even though he did not get the time to make Niyyat (during these days). [Jauhira, Durr-e-Mukhtar, vol.1, pg.122]

LAW 6: The (prescribed) time for the Niyyat of,

1. The Ada[1] of the Ramadaan fasts,
2. The Nazr Al Mu'ayyan,
3. And for the Nafil fasts,

is from (after) sunset upo Zahwa e Kubra. The fast will be valid if the Niyyat is made at any time during this duration. Hence, if a person made Niyyat before sunset that tomorrow I will fast, and he then entered an unconscious state, and he only regained consciousness after Zahwa e Kubra, then in this case the fast is not valid, and if he made the intention after the sun had set, then the fast is valid. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.116]

LAW 7: Zahwa e Kubra is not the time for Niyyat, but the Niyyat must actually be made before the Zahwa e Kubra, as this is necessary; and if he made Niyyat at that exact moment when the Sun reaches the 'Khat Nisfun Nahaar Shari'[2], then that fast is not valid.

LAW 8: The rule for the Niyyat (intention) which mentions the general Nafil also includes Sunnat, Mustahab and Makruh, as the time for Niyyat for all of these is the same. [Raddul Muhtar, vol.2, pg.116]

LAW 9: Just as it has been mentioned in other discussions concerning the Niyyat; the Niyyat (intention) refers to the intent of the heart, and it is not a condition to mention it with the tongue (i.e. audibly),

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1: Ada means punctual (timeous) completion of a current act (such as fast etc) within its prescribed time. Qaza means completion of an act after its prescribed time has expired.

2: Nisfun Nahaar Shar'i is when the Sun is at its highest point at mid-day, based on the Shar'i stipulation. [Durr-e-Mukhtar, vol.2, pg.112]

then even here (in the case of Niyyat for fasting), the same rule applies, but it is Mustahab to mention it with the tongue. If one makes the Niyyat at night, he should say,

نَوَيْتُ اَنْ اَصُوْمَ غَدًا لِلّٰهِ تَعَالٰى مِنْ فَرْضِ رَمَضَانَ هٰذَا

Nawaytu An Asooma Ghadan Lillahi Ta'aala Min Fardi Ramadaan Haadha

'I have made Niyyat that I will keep for Allah, the Fard Fast of this Ramadaan, tomorrow'

If he makes Niyyat in the day, he should say,

نَوَيْتُ اَنْ اَصُوْمَ هٰذَا الْيَوْمَ لِلّٰهِ تَعَالٰى مِنْ فَرْضِ رَمَضَانَ

Nawaytu An Asoomu Haadhal Yawma Lillahi Ta'aala Min Fardi Ramadaan

'I have made Niyyat, that today,
for Allah I will keep the Fard Fast of Ramadaan'

If the words In'sha Allahu Ta'aala are added for the purpose of attaining blessing with the Niyyat, then too there is no harm in it. If the intention is not a firm intention, but it is merely a reluctant (act), then in such case, where is the Niyyat even valid?' [Jauhira]

Law 10: When making Niyyat during the day, it is necessary to make the following Niyyat, 'I am fasting from Subho Saadiq' and if a person makes the Niyyat that, 'I am fasting as of now'[1], i.e. and not since

morning (Subho Saadiq), then the vast is not valid. [Jauhira, Raddul Muhtar, vol.2, pg.116]

LAW 11: Even though the Niyyat for these three types of Fasts can be made in the day, but it is Mustahab (desirable and preferred) that it should be made at night[2]. [Jauhira]

LAW 12: Similarly, if a person makes the intention that, 'If there is an invitation (Feast) somewhere tomorrow, then I am not with fast and if there is not invitation then I am with fast,' then this Niyyat is improper (invalid), and in any case he will not be regarded to be fasting. [Alamgiri, vol.1, pg.195]

LAW 13: If a person in the days of Ramadaan neither made Niyyat to fast, nor did he make Niyyat of not fasting, even though he knows it is the month of Ramadaan, it will not be regarded as a valid fast. [Alamgiri, vol.1, pg.195]

LAW 14: If he made Niyyat at night, and then in the same night, he ate and drank, then in this case the Niyyat does not become void, but the same initial Niyyat is sufficient, and there is no need to make fresh Niyyat again. [Jauhira]

LAW 15: If a woman was in the state of Haidh or Nifaas, and at night she made intention of fasting tomorrow (the next morning), and she became pure from Haidh or Nifaas before Subho Saadiq, then her fast has become valid. [Jauhira]

1: The above is in the case when a person ate before Sehri ends and then he made Niyyat only during the day, before Zahwa e Kubra.

2. Night meaning any time before the actual appearance of Subho Saadiq, i.e. (True Dawn).

Law 16: During the day, that Niyyat is of use (i.e. valid) only if from Subho Saadiq until the time that one made the Niyyat, he did not do anything which is contrary to the (laws of) fasting. Therefore, even after Subho Saadiq he forgetfully ate or drank something, or was sexually intimate, then now the Niyyat cannot be made. [Jauhira] However, the reliable view is that even in the case of forgetfulness the Niyyat is proper (valid). [Raddul Muhtar, vol.2, pg.133]

Law 17: If one intended to talk in a Namaaz, but did not talk, then the Namaaz will not be invalidated. Similarly, whilst fasting, if a person intended to break his fast, it will not be broken until such time that he does not do something, which will break the fast. [Jauhira]

Law 18: If a person made Niyyat to fast at night, and thereafter made a genuine intention that he will not fast, then in this case the initial Niyyat is invalidated. If in this case, he remains without eating and drinking the entire day and he abstains from intimacy the entire day, but he did not make a fresh Niyyat, then the fast will be invalid. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.119]

Law 19: To eat Sehri is by itself regarded as Niyyat (i.e. intention to fast), be this for the fasts of Ramadaan or for any other fasts. However, if whilst eating he has intention that, I will not fast in the morning, then eating this Sehri will not be counted as a valid Niyyat. [Jauhira, Shaami, vol.2, pg.116]

Law 20: It is necessary to make a new (fresh) Niyyat for every fast of Ramadaan. If a person made Niyyat on the first day or any other date for the fast of the entire month of Ramadaan, then this Niyyat is only valid for that one day, and it is not valid for the other days. [Jauhira]

LAW 21: These three, in other words, the Ada fast of Ramadaan, and the Nafil Fast and the Fast of a Nazr Mu'ayyan, will be valid simply by an unspecified intention of Fasting. It is not necessary to make a Niyyat particularly for that fast. Similarly, it is also counted as Ada, even if done with Niyyat of Nafil. If a person who is not ill or a Musafir made Niyyat for some other Waajib fast in Ramadaan, then too it is counted as it being that of Ramadaan. [Durr-e-Mukhtar, vol.2, pg.116/117]

LAW 22: If a Musafir or a Mareedh (sick person) makes Niyyat for Nafil or some other Waajib fast in Ramadaan, it will be regarded as the fast for which he made intention, and it will not be counted as the fast of Ramadaan. [Tanweerul Absaar]. However, if they simply make an unspecified Niyyat of just fasting (without specifying it), the fast will be counted as the fast of Ramadaan. [Alamgiri, vol.1, pg.192]

LAW 23: If a person intended to fast to fulfil a Nazr e Mu'ayyan, in other words, he says I will fast on a certain day, and in fulfilling this, if on that day he kept the fast with the Niyyat of some other Waajib, then the fast will be regarded as the one for which he intended when keeping it, and the fast of the vow (Nazr or Man'nat) must be kept (separately). [Alamgiri, vol.1, pg.192]

LAW 24: If in the month of Ramadaan he kept some other fast and he was not aware that it is the month of Ramadaan, then too it will be regarded as the fast of Ramadaan. [Durr-e-Mukhtar, vol.2, pg.118]

LAW 25: If a Muslim was imprisoned in a Darul Harb, and every year assuming that the month of Ramadaan has arrived, he kept fasts of Ramadaan, and later on he realises that in none of the years these fasts were actually kept in Ramadaan (i.e. his assumptions were

incorrect), but every year he actually kept them before Ramadaan, then the fasts of the first year will not be counted as valid, because the fast of Ramadaan cannot be kept before Ramadaan. Concerning the fasts of the second and third years (etc.) if he made an unspecified Niyyat of Ramadaan, then the fasts of every year will be counted as Qaza for the fasts of the previous year, and if he made intention for the Ramadaan fasts of this year (i.e. he specified it), then the fasts of none of the years are valid. [Raddul Muhtar, vol.1, pg.118]

LAW 26: If in the above mentioned situation, he performed 'Tahar'ri', in other words, he thought about it, and his heart was completely content that this is the month of Ramadaan, and he then kept the fasts, but in reality these fasts were in the month of Shawwal, then if he made this intention from the night, then they are valid, because in Qaza to make the Niyyat of Qaza is not a condition, as Qaza will also be valid if done with the Niyyat of Ada. If the month of Ramadaan and Shawwal are both of thirty days each, then he should keep one further fast, because the Fast on Eid is Mamnu' (disallowed/disapproved). If Ramadaan is of thirty days and Shawwal is of twenty-nine days, then he should keep two more Fasts, and if Ramadaan was of twenty-nine fasts and this (Shawwal) was of thirty, then they have all been completed. If that month was (later realised) to be Zul-Hijjah, and both the months were either thirty or twenty-nine, he should keep another four fasts (when he realises this), and if Ramadaan was of thirty days and this (Zul-Hijjah) is of twenty-nine days, then he should keep five more fasts, and if it is the other way around (i.e. Ramadaan was twenty-nine and Zul-Hijjah was thirty), then he should keep three more fasts.

In other words, he will have to remove the days on which fasting is disallowed, and then complete those days which were (within) the counting of that Ramadaan. [Alamgiri, vol.1, pg.196]

LAW 27: With the exception of the Ada fasts of Ramadaan, the fasts of Nazr e Mu'ayyan and the Nafil Fasts, the other fasts; for example, the fasts which are for the Qaza of the Fasts of Ramadaan, and those which are Nazr e Ghayr Mu'ayyan, and the Qaza fasts of Nafil fasts, (in other words if one kept a Nafil fast then broke it, then the Qaza of that fast must be kept), and the Qaza of the Nazr e Mu'ayyan fasts, and the fasts of Kaffarah, and those fasts which become Waajib on the basis of hunting in the Haram (within Haram boundary), and the fast which one must keep due to shaving the head before time, i.e. for all these fasts, it is necessary to make their Niyyat at night or at the precise and exact time when true dawn appears. It is also necessary to keep the specific Niyyat for the fast which you are keeping (in this situation), and if the Niyyat for these (types) of fasts are made in the daytime, then they will all be regarded as Nafil, and still it becomes necessary to complete them. If one breaks them, the Qaza for it will be Waajib, even if it is in his knowledge that this will not be counted as the fast which I wanted to keep, but it will be counted as a Nafil fast. [Durr-e-Mukhtar, vol.2, pg.118/119]

LAW 28: If a person assumed that he was responsible for a Qaza fast and he then kept that fast accordingly, then later he realised his assumption was incorrect, then in this case if he immediately breaks the fast, he is permitted to break it, even though it is more virtuous to complete it. However, if he did not break it immediately (on realising his assumption was incorrect), then in this case he cannot break it now. If he does break it, he will be liable to keep its Qaza. [Raddul Muhtar, vol.2, pg.119]

LAW 29: If one made Niyyat for a Qaza Fast at night, and in the morning, he wishes to keep it as Nafil, he cannot do this. [Raddul Muhtar, vol.2, pg.119]

LAW 30: If whilst in Namaaz he made the Niyyat of Fasting, then this Niyyat will be valid. [Durr-e-Mukhtar, vol.2, pg.119]

LAW 31: If many fasts have become Qaza, then in the Niyyat it must be said, 'This is the Qaza of the first Fast of this Ramadaan, (or) the second fast, or the Qaza of the third fast (etc.).' If some are Qaza from the current year and some are Qaza from the previous year, then in this case he must say, 'Qaza for the fasts of this Ramadaan' and 'Qaza for the fasts of last Ramadaan.' However, there is no need to specify the day or the exact year, as even if he does not do so, the fasts will be valid. [Alamgiri, pg.196]

LAW 32: If a person intentionally broke the fast of Ramadaan, then in this case he is liable for the Qaza of that fast, and he must also keep a further sixty fasts as Kaffarah (compensation). Now, if he kept (all) sixty-one fasts, and he did not specify the day for which he is making Qaza, the fasts will still be valid. [Alamgiri, vol.1, pg.196]

LAW 33: Yaumush Shak (Day of Doubt): In other words one is allowed to keep fast purely with the intention of Nafil on the thirtieth of Sha'baan. If one kept any other fast (on this day) with the exception of Nafil, then to do so is Makruh, be it without specifying a Niyyat (i.e. just with Niyyat of keeping a fast), or be it with Niyyat of keeping a Fard or Waajib fast. Even if he kept it with a specified intention, or even if he kept it with a wavering intention, all of the above are regarded as Makruh (disapproved). If it is kept with the Niyyat of Ramadaan, then this is Makruh e Tahreemi, otherwise for a Muqeem it

is Tanzeehi, and if a Musafir (Traveller) makes any Niyyat of a Waajib (Fast), then there is no objection. However, if later it is proven that the particular day is Ramadaan, then for a Muqeem (Resident), either way it will be counted as the fast of Ramadaan, and if it is proven that it was the day of Sha'baan, and the Niyyat was for some Waajib, then it will be counted as the Waajib for which it was, and if it cannot be proven (which day it really was), then the one kept with Waajib Niyyat is void. Whichever Niyyat the Musafir kept the fast with, is what it will be counted as, in any case. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg. 119/121]

LAW 34: If the thirtieth fell on such a day on which one is in the habit of fasting, then in this case it is Afdal (more virtuous) for him to fast on this day. For example, if there is a person who fasts (habitually) on a Monday or on a Thursday, and the thirtieth falls on that day, then for him to fast on that day is Afdal. Similarly, if he was already keeping few fasts from before, then there is no harm in him fasting on Yaumush Shak. The objection (disapproval) is only in the case when a person only keeps fast a day or two before Ramadaan, in other words, he only keeps fast on the thirtieth of Sha'baan, or on the twenty-ninth and thirtieth of Sha'baan. [Durr-e-Mukhtar, vol.2, pg.120]

LAW 35: If one is not in the habit of keeping fast on that day or if he has not as kept fasts from many days before, then in this case only the (spiritually) elite may fast on this day (i.e. on the 30th Sha'baan) and the rule for the common folk (i.e. general public) is that until Zahwa e Kubra they should remain as if fasting. Then, if the (proper Shar'i testimony) of moon sighting is proven, then they should make the Niyyat for the fast of Ramadaan, otherwise they should eat and drink (as normal). Here the 'Khawaas' (The Elite) does not only refer to the Ulama, but it also refers to that person who knows that on this day,

one may fast in this manner. Then, such a person (in this situation) is counted as being amongst the elite; otherwise, he is counted amongst the common folk. [Durr-e-Mukhtar, vol.2, pg. 120/121]

LAW 36: When keeping the fast of Yaumush Shak (Day of Doubt), one must make a firm Niyyat, that this fast is a Nafil fast. There should be no wavering (doubt) in this Niyyat. It should not be made such that if it is Ramadaan, then this is the fast of Ramadaan, otherwise it is Nafil; or by saying that if today is Ramadaan then this is the fast of Ramadaan, otherwise it is the fast of any other Waajib fast. To do both of these is Makruh. However, if that day is proven to be the day of Ramadaan, then the Fard of Ramadaan will be counted as Ada; otherwise, in both cases it is Nafil, and either way he will be regarded as being sinful. One should also not make Niyyat in this manner that, 'If this is the day of Ramadaan, then I am fasting, otherwise I am not fasting,' because in this case neither is the Niyyat valid nor is the fast valid. If one makes the firm intention of Nafil (for that day), but every now and then the thought of it possibly being the day of Ramadaan creeps into the heart, then in this case there is no harm in this. [Alamgiri, vol.1, pg.220; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.122]

LAW 37: Regarding the command of waiting until Zahwa e Kubra which has been given to the common folk (i.e. general public); if one acted upon this, but then he forgetfully ate and drank, and then it became obvious that it is the day of Ramadaan, he should make the Niyyat of fasting, and it will be counted. This is because the one who is in waiting, is counted in the ruling of one who is fasting, and to eat forgetfully, does not break the fast. [Durr-e-Mukhtar, vol.2, pg.122]

SIGHTING OF THE MOON (CRESCENT)

Almighty Allah says,

يَسْـَٔلُوْنَكَ عَنِ الْاَهِلَّةِ ؕ قُلْ هِىَ مَوٰقِيْتُ لِلنَّاسِ وَالْحَجِّ ؕ

'(O Beloved ﷺ)! The people ask you about the Hilaal (Crescent); you say, 'It is a schedule (time) for the people (peoples activities), and for Hajj.'' [Surah Baqarah, Verse 189]

HADITH 1: It is in Sahih Bukhari and Muslim from Ibn Umar رضي الله عنه that Rasoolullah ﷺ said, 'Do not commence fasting unless you have seen the moon, and do not make Iftaar (i.e. end your fasts) unless you have seen the moon, and if it is cloudy, then complete the counting.'

HADITH 2: It is also reported in Sahihain from Hazrat Abu Hurairah رضي الله عنه that Rasoolullah ﷺ said, 'Commence fasting by sighting the moon and end fasting by sighting the moon, and if it is cloudy, then complete the counting of thirty for Sha'baan.'

HADITH 3: Abu Dawud, Tirmizi, Nasa'i, Ibn Majah and Daarimi have reported from Ibn Ab'bas رضي الله تعالى عنهما that a Bedouin presented himself before Rasoolullah ﷺ and said, 'I have seen the moon of Ramadaan.' Nabi ﷺ said, 'Do you bear testimony that there is none worthy of Worship except Allah?' He said, 'Yes.' He ﷺ said, 'Do you bear testimony that Muhammad ﷺ is the Rasool of Allah?' He said, 'Yes.' He ﷺ said, 'O Bilal! Announce amongst the people that they should fast tomorrow.'

HADITH 4: Abu Dawud and Daarimi report from Ibn Umar رضي الله تعالى عنهما that people started looking for the moon. I informed Rasool ﷺ that I

had seen the moon. Rasool ﷺ himself kept fast (based on this) and He ﷺ also commanded the people to keep fast.

HADITH 5: Abu Dawud reports from Ummul Mo'mineen Siddiqa رضی اللہ تعالیٰ عنہا that Rasoolullah ﷺ protected Sha'baan so much so, that he did not protect any other (month) like this month. Then, He ﷺ would commence fasting on sighting the moon, and if it would be cloudy, He ﷺ would complete the counting of thirty and then only would He ﷺ keep fast.

HADITH 6: It is in Muslim from Abil Bakhtari رضی اللہ عنہ wherein he says, 'We had gone for Umrah and encamped in the Valley of Nakhla, then on seeing the moon someone said, it was three nights old and others said it was a two-night old moon. We met Ibn Ab'bas رضی اللہ تعالیٰ عنہما and mentioned this to him. He asked, 'On which night did you see it?' We said, 'on such and such a night!' He said, 'Rasoolullah ﷺ based its age on the time of seeing it, so it will be counted as being (the moon) of the night on which you saw it (meaning new moon).'

LAWS OF JURISPRUDENCE

LAW 1: It is Waajib-e-Kifaayah to see (i.e. make effort to sight) the moon for five months:

1. Sha'baan
2. Ramadaan
3. Shawwal
4. Ziqaddah
5. Zul-Hijjah

(It is Waajib to sight the moon of) Sha'baan, because if it is cloudy or hazy when looking for the moon of Ramadaan, then you can complete thirty days of Sha'baan and then commence Ramadaan. The sighting of the moon of Ramadaan, is so that you may be able to keep the fasts of Ramadaan, and the sighting of the moon of Shawwal is so that you may end the fasting of Ramadaan, and the sighting of Ziqaddah is to determine Zul-Hijjah, and the sighting of Zul-Hijjah is for Baqr Eid (i.e. Eid ul Adha). [Fatawa Razviyah]

LAW 2: On the evening of the twenty-ninth of Sha'baan, one should look for the moon (of Ramadaan). If it is seen, then one should keep fast on the following day; otherwise, one should complete thirty days of Sha'baan and then commence the month of Ramadaan. [Alamgiri, vol.1, pg.197]

LAW 3: If someone saw the moon (crescent) of Ramadaan or Eid, but his testimony was rejected due to some Shar'i reason; for example, if he is a Faasiq (transgressor), or if he saw the Eid moon alone, so the command for him is that he should fast, even though he saw the Eid

moon himself, and for him to break that fast is impermissible, but if he does break it, there is no Kaffarah for it. If in this situation, it was the moon of Ramadaan and according to his counting he completed had completed thirty fasts, and then at the time of the Eid moon, again the sky was cloudy or hazy, then he too will be commanded to keep one more fast (like everyone else). [Alamgiri, vol.1, pg.198; Durr-e-Mukhtar, vol.2, pg.122/123]

LAW 4: He kept fast by sighting the moon alone, and then broke the fast, or even if he gave testimony in the court of the Qadi, and the Qadi has not as yet given the command on the basis of his testimony, and he broke his fast, then even in this case, there is no Kaffarah for it. He will only keep the Qaza for that fast. However, if the Qadi had accepted his testimony and after that, he broke his fast, then the Kaffarah is necessary, even if he is a Faasiq. [Durr-e-Mukhtar, vol.1, pg.123]

LAW 5: For a person who has knowledge of the Science of Astronomy, to say that today the moon has been confirmed or not, on the basis of astronomical knowledge, has no validity, even though he may be 'Aadil', and even though there are numerous people like this who can say the same, because in Shariah the credibility is on the basis of physical sighting of the moon and on the basis of testimony (as stipulated by the Shariah). [Alamgiri, vol.1, pg.197]

LAW 6: In every testimony, it is necessary to say, 'I testify (or I give testimony),' because without saying this, it is not regarded as 'Shahaadat.' However, if it is cloudy, then for the moon of Ramadaan, it is not necessary to say it. It is sufficient for him to say that, 'I saw with my eyes the moon of this Ramadaan, today (or) yesterday, or on such and such a day.' Similarly, for this testimony, Da'wah (The Claim of sighting) and Majlis e Qaza (Judicial Assembly) and the command of

the Haakim (Muslim Authority) is not a condition, to the extent that if he gave gawaahi (i.e. presented testimony of his sighting) before any Haakim, then whosoever heard his testimony and he apparently knows that this person is 'Aadil', then for him to keep fast is necessary, even though he has not heard the command of the Haakim, for example if he left before the Haakim gave the command. [Durr-e-Mukhtar, vol.2, pg.123; Alamgiri, vol.1, pg.197]

LAW 7: The confirmation for Ramadaan in cloudy and hazy weather is valid even if presented by one Muslim who is Aaqil and Baaligh, and who is Mastur or Aadil, be this a male or a female; be it a handmaid or a slave, or even if it is someone who has been flogged for accusation of adultery, on condition that he has repented. Being 'Aadil' means that at least he is pious, and he abstains from major sins, and he is not persistent in committing minor sins, and he does not do such actions which are contrary to civility, such as by eating in the marketplace (whilst walking around). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.123/124]

LAW 8: If a Faasiq even gives Shahaadat to sighting the moon of Ramadaan, his testimony is not worthy of being accepted. Now remains the issue as to whether it is necessary upon him to give testimony (if he saw the moon) or not? If he is optimistic that the Qadi will accept his testimony, then in such a situation it is necessary for him to go forth and testify. A Mastur is a Muslim who's Zaahir, i.e. outward appearance and conduct conform to the Shariah, but his Baatin (innermost) condition is not known. Even his testimony is not acceptable for other than Ramadaan. [Durr-e-Mukhtar, vol.2, pg. 123/124]

LAW 9: For the Aadil person who has seen the moon of Ramadaan, it is Waajib upon him to give the Shahaadat (of his sighting) on the same night, to the extent that if a slave-girl or female who is in Pardah (veiled) saw the moon, then for them too it is Waajib to go on the same night to present their testimony. The slave-girl in this situation does not require the permission of her master. Similarly, it is Waajib upon a free woman to go forth and give Shahaadat (of her sighting), and for this she does not need to seek the permission of her husband. However, this ruling is only applicable when the confirmation (of moon sighting) is only dependant on her testimony and without her giving testimony, the situation cannot be resolved; otherwise (if this is not the case), what need is there (for her to go give testimony when there are other witnesses)? [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.124]

LAW 10: It is not necessary upon the person before whom testimony is being presented, to ask, from where did you see the moon, and on which side was the moon, and how was it (i.e. its appearance), and how high was it etc. [Alamgiri, vol.1, pg.197] One should only question the witness if his (or her) testimony is doubtful, especially for Eid, because people tend to baselessly claim to have seen the moon (of Eid).

LAW 11: If the Imam (Badsha-e-Islam, i.e. the Muslim Ruler) or the Qadi saw the moon, then he has the right (i.e. the choice) of either personally giving the command for fasting, or he can appoint someone to take his Shahaadat (testimony), and he can then give Shahaadat before that duly authorised official. [Alamgiri, vol.1, Pg.197]

LAW 12: If the moon was seen in a rural area (i.e. like in a village) and there is no one there before whom testimony can be given, then in

this case the village folk should be gathered together and Shahaadat should be given in front of them. If the person (giving testimony) is Aadil, then it is necessary upon them to keep the fast. [Alamgiri, vol.1, pg.197]

LAW 13: If a person did not see the moon himself, but the person who saw it (i.e. the primary witness) made him witness to his Shahaadat, then the ruling concerning his (the secondary witness's) Shahaadat is the same as that of the actual primary witness who saw the moon, whereas all the conditions of 'Shahaadat alash Shahaadat'[1] are established. [Alamgiri, vol.1, pg.197, etc.]

LAW 14: If the horizon (i.e. sky) is clear, then unless many people do not give Shahaadat, the confirmation of sighting of the moon will not be valid. Now, remains the issue as to how many people are required for this? This is dependent on the Qadi. He will give the command based on as many witnesses as it takes to allow him to be completely satisfied, unless the testimony was for the sighting of the moon from the outskirts of the city, or from a high place, then in this case the testimony from one Mastur even will be acceptable for the moon of Ramadaan. [Durr-e-Mukhtar, vol.2, pg.126/127, etc.]

LAW 15: 'Jama'at-e-Katheera' (a large group of Muslims) is only a condition (pre-requisite), when Shahaadat is being passed for keeping fast, or for Eid. For any other (judicial) issue, if two males or one male and two females who are Thiqa (i.e. reliable and

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1. Shahaadat alash Shahaadat is testimony which is based on testimony of primary witnesses who have seen the moon and made the secondary witnesses, witness to their testimony.

trustworthy) have given Shahaadat, and the Qadi has given judgment based on their Shahaadat, then this Shahaadat is now sufficient, and will also be counted as being valid to commence fasting or to celebrate Eid. For example, if one person made a claim against another person, saying that the said person owes him such and such amount, and the time for payment was when Ramadaan comes, then he will pay what he owes, but he is not paying this amount. The defendant says, undoubtedly I owe him the said amount, and this was the time frame stipulated, but Ramadaan has not as yet come. Now, on this the plaintiff presented two witnesses who gave Shahaadat of having seen the moon. The Qadi then gave the judgement that he (the defendant) must pay the amount which he owes, so in this situation, even though the sky was clear and only two witnesses testified, but in regards to the commencing of the fast and concerning celebrating Eid, these two testimonies will be regarded as being sufficient. [Durr-e-Mukhtar, Raddul Muhtar, vol.1, pg.127/128]

LAW 16: If the sky is clear here, but the sky (horizon) is not clear elsewhere, and the Shahaadat was given in front of the Qadi and the Qadi gave judgement that that moon has been sighted. Now, if two or few people from there came here where the horizon is clear, and testified that, at the Court of a certain Qadi two people gave Shahaadat of having seen the moon on such and such night, and that Qadi gave the judgement in our presence, and the condition of their Da'wah (claim) is also established, then even the Qadi here will give the judgement based on those Shahaadats. [Durr-e-Mukhtar, vol.2, pg.128]

LAW 17: If few people come and say, that the moon was sighted at such and such place, but even if they give Shahaadat that the moon

was sighted at such and such place, and even if they give this Shahaadat that such and such person and such and such person saw the moon, and even if they give the Shahaadat saying, the Qadi of such and such place has given the command to the people to commence fasting, or end fasting; then it must be known that all these methods are not sufficient.[1] [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.128]

LAW 18: If the sighting of the moon was confirmed in any city and this has become famously known in the entire city, and from there, numerous Jama'ats come to another city and all of them gave this 'Khabar' (News/information) that on such and such day the moon was sighted there, and based on Ruyat (sighting) the people there commenced fasting on such and such day, then this has become confirmation for those here (i.e. in this city as well). [Raddul Muhtar, vol.2, pg.128]

LAW 19: If the sky was cloudy on the night of the Ramadaan moon, and if only one person gave Shahaadat and based on his Shahaadat the command to fast was also given, then if the Eid moon is now not seen due to cloudy weather, then Eid should be celebrated after completing thirty fasts. Also, if the weather is clear, they should not make Eid, unless Ramadaan was commenced with the confirmation of testimony by two Aadil witnesses. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.129]

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1. The reason for this not being acceptable and being insufficient to confirm sighting is because none of them was appointed as witness by those who saw the moon, thereby authorising them to testify based on the testimony of the primary eyewitness. They are merely giving Shahaadat that the moon was seen there and this is not really testimony as they were not authorised to do this.

LAW 20: If the weather is not clear, then with the exception of Ramadaan, be it Shawwal or Zul-Hijjah or all the other months, two males, or one male and two females must give testimony, and all must be Aadil, free-men (not slaves), and none of them should have been charged and punished for accusation of adultery, even if they have repented. It is also a condition that when testifying, the witnesses should say these words, I testify (or I bear testimony). [General Books, Shaami, vol.2, pg.130]

LAW 21: If two persons saw the Eid moon in a village (rural area), and the sky is clear and there is none there before whom they may give their testimony, they should do this in the presence of the village folk, and if they (the witnesses) are Aadil, then Eid should be celebrated. [Alamgiri, vol.1, pg.98]

LAW 22: If the Imam or Qadi saw the Eid moon alone (i.e. by himself), then for him to celebrate Eid or give the command of Eid is not permissible. [Durr-e-Mukhtar, vol.2, pg.125, etc.]

LAW 23: On the twenty-ninth of Ramadaan if some people gave this Shahaadat that we have seen the moon one day before, and based on this today is the thirtieth, then in this case, if these people were here, then their testimony will now not be acceptable, due to not giving testimony on time (i.e. as they should have given the Shahaadat when they saw it). However, if they were not here (i.e. it was seen elsewhere), and they are Aadil, then their testimony will be accepted. [Alamgiri, vol.1, pg.198]

LAW 24: If the moon of Ramadaan was not seen, so they completed thirty days of Sha'baan and then commenced fasting, and they had only kept twenty-eight fasts, when the Eid moon had been seen, then

in this case if after sighting the moon, Sha'baan was counted as thirty days, then they should keep one fast (after Eid), and if even the moon of Sha'baan was not seen, but they commenced the month of Sha'baan only after completing thirty days of Rajab, then they should keep two fasts Qaza (after Eid). [Alamgiri, vol.1, pg.199]

Law 25: If the moon was seen in the day before Zawaal or after, either way, it will be counted as the moon of the following (next) night. In other words, the month will commence from the night which is to come. Therefore, if the moon was seen during the daytime of the thirtieth Ramadaan, then this day is counted as being the day of Ramadaan, and not the day of Shawwal, and to complete that fast is Fard, and if it (the moon) was seen during the daytime on the thirtieth of Sha'baan, then it is the day of Sha'baan, and not of Ramadaan, so the fast of today (i.e. that day) will not be Fard. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.131]

Law 26: If the moon was sighted at one place, then that sighting is not only valid specifically for there, but it is for the entire world, but it will only be authorised for some other place, when the moon is confirmed for that day and date according to them, by way of proper confirmation of the Shariah. In other words, they should receive the testimony of actual eyewitness sighting, or Shahaadat of the command of the Qadi, or numerous Jama'ats (groups) should personally come from there and give Khabar that the moon was sighted at such and such place and the people there have kept fast or celebrated Eid.[1] [Durr-e-Mukhtar, vol.2, pg.132]

1: In other words, the Shahaadat from the East is even acceptable in the west and vice versa, on condition that it reaches from one place to the other based on proper testimony as stipulated by the Shariah, and not by impermissible means.

LAW 27: Ruyat e Hilaal (Confirmation of Moon sighting) cannot be proved through telegram and telephone, and neither is it accepted by way of rumours; and it being printed in calendars and newspapers is also not regarded as any (valid) proof and confirmation (of sighting).

In this day and age, it is commonly seen that on the twenty-ninth of Ramadaan many telegraphs are sent from one place to another, asking if the moon was sighted or not. If the telegraph comes from anywhere (saying that the moon was sighted) then that's it, Eid has come. This is simply impermissible and Haraam. What is a telegram? Firstly, it cannot be confirmed whether it is definitely from the person whose name is written in it, and let us assume that it is from him, then what proof do you have of this, and even if this too is proper, then telegrams generally have too many mistakes. Yes, instead of No, and No instead of Yes, is a common mistake. Let's accept (hypothetically) that the message came through completely correct, it must be noted that this is merely a kind of news (or information), and it is not Shahaadat (Testimony), and that to (it has reached) you through scores of different channels. If the one sending the telegram is not literate in English, then he will have to get the telegram written by someone else. How can we know what he asked him to write and what he really wrote! It was given to a person who in-turn gave it to the telegraph operator. It now reached the telegram office here, so it was given to the delivery person. What if he gave it to someone else, then in this case we cannot count how many people it has gone through before he received it, and even if he gave it to the rightful person, then too how many channels has it come through. Now take note of this, that the testimony of a Muslim Mastur, regarding whom it is not known whether he is Aadil or Faasiq, is not acceptable, so all the channels (hands) through which the telegram reached you, would all of them have been Muslims?

This is a rational probability, the reality of which remains unknown. Additionally, if the one who is receiving the telegraph does not know English, he too will get someone else to read it. If an unbeliever has read it (to him), then what credibility is there in this? Also, if a Muslim read it, how convinced are we that he read it correctly? If we add up the concerns, there are many such reasons which cause one to lose conviction in the telegram. The Fuqaha (Jurists) have not given any credibility to a letter, even if one recognises the writing and the signature of the writer, and even if it has his seal (stamp) on it, on the basis of الخط یشبہ الخط والخاتم یشبہ الخاتم 'A letter is alike to a letter, and a seal is alike to a seal.' Therefore, what about a telegram! واللہ تعالیٰ اعلم (And Allah Knows Best).

LAW 28: To sight the moon and to then point towards it with the finger is Makruh, even if you do this to show it to another person. [Alamgiri, vol.1, pg.197; Durr-e-Mukhtar, vol.2, pg.132]

Note: The issue of the telegraph was in the time of Sadrush Shariah (Alaihir Rahma) and systems and times have changed with technology, but the basis is still the same. Hence, telephonic, video and other messages or calls are not valid to confirm Shahaadat. We should thus abstain from following our desires, but we should strictly adhere to the Shariah as there is nothing more convenient and easier than the Shariah. If you see the moon, make Eid, if you do not, complete 30 days. Is this not the simplest and best method? Today, there is the issue of all having Eid on the same day. This is not necessary in the Shariah. There is no law in Shariah about a unified Eid. It is about celebrating Eid based on proper testimony of sighting, even though in one country Eid happens at different days in different cities due to not having received proper Shahaadat. The criteria is proper sighting and proper testimony. [Razvi Noori]

ACTS WHICH DO NOT BREAK THE FAST

AHADITH E MUBAARAKA

HADITH 1: It is in Sahih Bukhari and Sahih Muslim from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'The fasting person who forgetfully ate or drank, should complete his fast, for Allah has fed him and given him to drink.'

HADITH 2: Abu Dawud, Tirmizi, Ibn Majah and Daarimi have reported from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'One who was overwhelmed by vomiting, there is no Qaza for him, and for the one who vomited intentionally, the fast is Qaza on him.'

HADITH 3: Tirmizi reports from Anas ﷺ that a person presented himself before Rasoolullah ﷺ and said, 'I have an illness (infection) in my eye, so can I use Surmah (collyrium) in my eyes whilst I am fasting?' He ﷺ said, 'Yes.'

HADITH 4: Tirmizi reports from Abu Sa'eed Al Khudri ﷺ that Rasoolullah ﷺ said, 'Three things do not break the fast (of a fasting person), cupping, vomiting and nocturnal emission (i.e. wet dream).'

NOTE OF CAUTION

This section discusses those things which do not break the fast. Now, remains the issue as to whether these actions cause the fast to become Makruh or not. This section does not deal with that discussion, and it does not deal with whether that action is permissible or impermissible (i.e. this section merely explains those things which break the fast).

LAWS OF JURISPRUDENCE

LAW 1: Forgetfully eating or drinking something, or (forgetfully) being sexually intimate will not break the fast, be this a Fard fast or a Nafil fast, or if these things were there before the Niyyat, or after it; but even after being reminded about it, if one did remember that one was fasting, then the fast will now be nullified, on condition that these actions happened after being reminded, but in this case, Kaffarah (expiation) is not necessary. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.133]

LAW 2: If one sees a fasting person involved in any of these actions, then it is Waajib upon you to remind them (that they are fasting). If one does not remind them, one is sinful. However, if the person fasting is very weak and you know that if you remind them, they will stop eating and the weakness will increase to an extent that it will become difficult for him to fast, and if he does eat (what he is eating), then he will comfortably complete the fast, and he will also be able to complete his other Ibadaat properly, then in such a condition, to remind him is not the best option. Some of the Masha'ikh have said that if one sees a young person (in this condition), then he should remind him, and if he sees an old person (in this situation), then there is no harm in not reminding him, but this ruling is based on the majority, meaning that most youngsters are usually strong, and old people are usually weaker, and the reality is that it is not really based on being young or old, but rather it is based on strength and weakness. Therefore, if a young person is as weak (as earlier mentioned) then not reminding him is not disapproved, and if an old person is strong, then to remind him is Waajib. [Raddul Muhtar, vol.2, pg.133]

LAW 3: If a fly, smoke or dust enters the throat, it will not break the fast. This applies even if the dust is from flour, which flies when being ground by the mill, or when the flour is sieved. Same applies if it is the dust from grains, or sand which has been blown by the wind, or if dust entered the throat from the horse's hoof, or from the horse stamping its hoof, even if he remembers that he is fasting. However, if he intentionally breathes in smoke, then the fast will be broken, on condition that he remembered that he was fasting, no matter if it was the smoke from anything, to the extent that if the incense of fragrance etc. was burning and he placed his face near it and inhaled the smoke from it through his nostrils, the fast will be invalidated. Similarly, smoking Huqqa (Moghul pipe) will also break the fast, if he remembered that he was fasting. If one who smokes the Huqqa smokes it, he will also be liable for Kaffarah (expiation). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.133/134]

LAW 4: When cupping (extracting blood) using a full cupping horn[1], or if one applied oil or surmah, the fast will not be broken, even though one may feel the taste of the oil or the Surmah in the throat. Even if the colour of the Surmah is evident in the saliva, it will still not break the fast. [Jauhira Nayyira, Shaami, vol.2, pg.133]

1: In using the cupping horn system, the area where the one performing the cupping intends to cup, a sharp object such as blade etc is used to make a slit, then the wide portion of the horn is place over the slit and the thin portion of the horn is placed against the mouth, and the blood is drawn by pulling (sucking) through the horn. That area is then sealed with dough etc. When this is removed, the bad blood is sucked out.

Law 5: If one kissed (someone) and there was no seminal discharge (Inzaal), the fast is not broken. Similarly, if a person looked at a female or even towards her private part, but he did not touch it, and he had seminal discharge, or if the semen was discharged due to time and overlooking (at the private part), or by thinking of intimacy etc., or if this happened by concentrating on this thought for a long time, then in all these situations, the fast will still not break. [Jauhira, Durr-e-Mukhtar, vol.2, pg.134]

Law 6: If one had Ghusl (took a bath) and he felt the coldness of the water inside (the body), or if he rinsed his mouth and he spat out all of the water, but some moistness is left in the mouth, and he swallowed this with the saliva, or if he mixed some medicine and the taste could be felt in the throat, or if he chewed or sucked up some 'Har' (i.e. a medicine which is a myrobalan type of nut), or if he swallowed some saliva, and some part of the Har entered the throat with the saliva, or if water entered the ear; or if he scratched the ear with a dried stem (etc.) and some wax from the ear came on to it, and if he then inserted the same wax coated stem (piece of stick) into his ear, and even if he does this a few times; or if a small particle remained in the mouth unknowingly and it is swallowed with the saliva, or if blood oozed from the teeth and entered the throat, but it did not go beyond the throat, then in all the above mentioned situations, the fast will not be nullified. [Durr-e-Mukhtar, vol.2, pg.134, Fathul Qadeer]

Law 7: If someone stabbed a fasting person with a spear or an arrow in his stomach, then even if its cutting edge or arrowhead has gone into the stomach, the fast will not be broken. However, if he inflicted this on himself and the cutting edge, or the arrowhead or stones remain inside, the fast is broken. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.135]

LAW 8: If whilst talking the lips became moist with saliva and one swallowed it, or if drool came out of the mouth and its flow did not as yet break and he sucked it (back) in and swallowed it, or if the nose filled up with mucus, and it even came out of the nose, but did not stop, and he pulled it up, and then swallowed it, or if phlegm came into the mouth and he swallowed it, then no matter how much it was, the fast will not break, but one should avoid doing these things. [Alamgiri, vol.1, pg.203; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.138]

LAW 9: If a fly entered the throat, the fast will not break, and if one intentionally swallowed it, the fast will break. [Alamgiri, vol.1, pg.203]

LAW 10: If one was being sexually intimate forgetfully, and on remembering he immediately separated, or if he was engrossed in sexual intimacy before Subho Saadiq (true dawn), and on the appearance of Subho Saadiq he immediately separated, then the fast will not be broken, even if in both cases there was seminal discharge after separating. This is even if in both cases he separated after remembering, and after True Dawn appeared, wherein the reason for separating was not the intimacy. If on remembering, or on the appearance of true dawn he did not stop (i.e. separate) immediately, even if he just paused, and did not continue any movement, the fast will be broken. [Durr-e-Mukhtar, vol.2, pg.135]

LAW 11: If he was forgetfully eating and he remembered and immediately threw down the morsel, or if he was eating prior to Subho Saadiq and the moment True dawn appeared, he spat it out, the fast will not be broken, and if he swallowed it, then in both cases the fast will be broken. [Alamgiri, vol.2, pg.204]

LAW 12: If one had intercourse (penetration) in any part except the two private parts (i.e. the front and the rear), then unless there is no seminal discharge, the fast will not break. Similarly, even if one discharges semen by way of masturbation, even though this act is strictly Haraam, because in the Hadith the one who does this is considered cursed. [Durr-e-Mukhtar, vol.2, pg.136]

LAW 13: (Allah Forbid) if a person had intercourse with an animal or a deceased, and there was no seminal discharged, the fast will not be broken, and if there was seminal discharge, it will be broken. (Allah Forbid) If one touched or kissed an animal, or touched the vagina of animal, then the fast will not break, even though there may be seminal discharge. [Durr-e-Mukhtar, vol.2, pg.137]

LAW 14: If one had Ihtilaam (nocturnal emission) or if one made gheebat (back-biting), the fast will not break, even though gheebat is a serious major sin. The Holy Qur'an has mentioned that gheebat is like eating the flesh of your dead brother. The Hadith has mentioned that gheebat is more serious than committing adultery. (Even though the fast will not break), but the radiance and the glow of the vast will be lost. [Durr-e-Mukhtar, vol.2, pg.138]

Note: Intercourse through the rear private part is totally forbidden and a sinful act. As mentioned earlier, certain rules are mentioned in this book based on cases and case history, and the solution in such cases. This however does not make such acts permissible. For example, if in a law book it says that if a person murder someone in such and such manner, then the punishment is such and such. This is being mentioned to command the ruling and judgement in such a situation. This does not in any mean that to murder someone is permissible.

LAW 15: If one spent the morning in the state of Janaabat (impure state where Ghusl is Fard), and even if one remains a Junub (one who is in an impure state) for the entire day, the fast will not break, but to remain without making Ghusl for such a long time, that Namaaz becomes Qaza, is sinful and Haraam. It has been mentioned in the Hadith that, the Angels of Mercy do not enter the house in which there is an impure (Junub) person. [Durr-e-Mukhtar, vol.2, pg.138, etc.]

LAW 16: If one had intercourse with a Jin or a Pari (fairy), then until such time that there is no seminal discharge, the fast will not break. [Raddul Muhtar, vol.2, pg.147] This applies when they are not in human form. However, if they are in human form, then the ruling is the same as having intercourse with a human.

LAW 17: If one chewed a sesame seed or something equivalent to it (in size), and it entered the throat with saliva, then the fast will not be broken, but if the taste is felt in the throat, then the fast will break. [Fathul Qadeer]

ACTIONS WHICH BREAK THE FAST

AHADITH E MUBAARAKA

HADITH 1: Bukhari, Ahmed, Abu Dawud, Tirmizi, Ibn Majah and Daarimi have reported from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'That person who leaves the fast of one day in Ramadaan without a valid reason, and without any illness, then his fasts of an entire era cannot be used as a Qaza for it, even if he keeps it.'

In other words, the excellence which is afforded to one for keeping fast in the month of Ramadaan, he will never be able to get at any other time. When there is such a severe warning concerning not fasting, can you imagine how much more serious it is if one fasts and then breaks the fast (without a valid reason).

HADITH 2: Ibn Khuzaimah and Ibn Hib'ban in Sahih reported from Abu Umama Baahili ﷺ wherein in the narrator states, 'We heard from Rasoolullah ﷺ that, He ﷺ said, 'I was asleep and two people appeared to Me, and they held My arms and took Me towards a mountain and they said to Me, Climb! (i.e. Ascend).' I said, 'I do not have the ability to do this.' They said, 'we will ease it.' I ascended it, and when I came to the middle of the mountain, I heard very loud intense sounds. I asked, 'From where are these noises coming?' He said, 'these are the sounds of the Jahannamis (inmates of hell).' They then took me further, I saw a nation which was hanged upside down, and their jaws were being torn apart, from which blood was flowing. I asked, 'Who are these people?' They said, 'These are those who made their Iftaar before the prescribed time.'

HADITH 3: Abu Ya'la with the merit of Hasan reports from Ibn Ab'bas رضی اللہ تعالی عنہما that, there are three loops and principals of Deen, on which the foundation of Islam is established strongly. The one who omits even one of them is an unbeliever. His blood is Halaal. (The three things are) to bear testimony to the Shahaadat of Kalima Tauheed, the Fard Namaaz, and the Fasts of Ramadaan.

It is mentioned in one narration that the one who leaves out any one of them, is committing kufr with Allah. Neither are any of his Fard, nor are any of his Nafils accepted.

LAWS OF JURISPRUDENCE

LAW 1: The fast is nullified (i.e. broken) by eating, drinking or being sexually intimate, when the person remembers that he is fasting. [General Books, Durr-e-Mukhtar, vol.2, pg.147/148]

LAW 2: Smoking Huqqa, cigars, cigarettes and cheroot (i.e. cigar with both ends opened) etc. breaks the fast, even though in his mind (perception) one feels he is not allowing the smoke to reach the throat. Eating Paan (betel leaf), or only chewing tobacco will also break the fast, even if you have spat out the betel-leaf spittle, because its fine particles definitely reach the throat.

LAW 3: If one kept sugar or anything similar to it in the mouth, which dissolves when kept in the mouth, and if he swallowed the saliva, the fast is broken. Similarly, if there was some particle stuck between the teeth, which is equal to the size of a gram (chana) or bigger, and he ate it, or if it was less, but he took it out of the mouth and then ate it, or if blood came out from the teeth, and flowed into the throat, and the blood was equal to, or more than the saliva, and its taste could be felt

in the throat, then in all these situations the fast will break, and if it was less (than this) and the taste was not even felt (in the throat), then it will not be broken.[1] [Durr-e-Mukhtar, vol.2, pg.134/135]

LAW 4: If whilst fasting one had his tooth extracted, and blood came out and flowed in below the throat, then even if this happened whilst sleeping, the Qaza for that fast is Waajib. [Raddul Muhtar]

LAW 5: If one placed something in the rear private part (i.e. in the anus) and if the opposite end of that thing is outside the anus, the fast will not break, otherwise it will break. If it is something which is wet (moist) and its wetness reaches the inside, then it (the fast) will absolutely be regarded as broken. This same rule applies to the private part of a female. In this section (discussion) the female private part refers to the inner vagina. Similarly, if a person tied a piece of meat on a string and he swallowed the meat, but the other end of the string remained outside, and he quickly then pulled it out, not allowing it to breakup (i.e. be digested), then in this case the fast will not break, but if the other end of the string also went in, or some portion of the meat remained inside, the fast will be broken. [Durr-e-Mukhtar, vol.2, pg.135; Alamgiri, vol.1, pg.204]

LAW 6: If a female placed a piece of cotton wool (etc.) in her private part, and no part of it is outside at all, the fast will be broken. If a dry finger is placed inside the anus, or if a female placed a dry finger into her private part, it will not break the fast.

1: It is mentioned in Fathul Qadeer that if it is such a particle that can go down the throat without the help of saliva, then even that will break the fast. However, if it is so little that it can (only) go down with saliva, otherwise it cannot go down, then this will not break the fast.

If the finger was wet (moist) or if something was applied on the finger, then this will break the fast, on condition, that it was placed in that part of the anus, where the end of the clyster is placed when performing an enema. [Alamgiri, vol.1, pg.204; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.135]

LAW 7: If one performed Istinja (washing after passing stool), by using more water than required, and the water reached the area where a clyster is usually placed, then in this case the fast will be broken, and one should not use excessive water, as there is a risk of illness in doing this. [Durr-e-Mukhtar, vol.2, pg.135]

LAW 8: If a male inserted water or oil into the opening from which he passes urine (i.e. inside the urethra), then in this case the fast will not break, even if it reaches the bladder. If a female drops this (water or oil) into the private part, it will break the fast. [Alamgiri, vol.1, pg.104]

LAW 9: If one has a wound which reaches the membrane of the brain, or the stomach, and medicine was placed in it, then (in this case) if it reaches the brain or the stomach, the fast will break. This will apply even if the medicine is liquid or dry. If it is not known whether the medicine reaches the brain or the stomach, but the medicine is passing through, then it will still be broken, but (in this case) if the medicine was dry (powder etc.) then the fast will not break. [Alamgiri, vol.1, pg.204]

LAW 10: If one had an enema administered, or if one sucked in medicine through the nostrils, or if one put oil into the ear, or if it went into the ear, it will break the fast. However, if water enters the ear, or is put into the ear, it will not break the fast. [Alamgiri, vol.1, pg.204]

LAW 11: If one was rinsing the mouth and without intent, water went down the throat, or if one was sucking water into the nostrils and it reached the brain, the fast will break, unless he has forgotten that he is fasting; then in this case it will not nullify the fast, even if he did so intentionally. Similarly, if someone threw something towards a fasting person and it went into his throat, the fast will be broken. [Alamgiri, pg.202]

LAW 12: If whilst asleep, a person drank some water or ate something, or if he opened his mouth and a drop of water or hail entered his throat, the fast will be broken. [Jauhira, Alamgiri, vol.1, pg.202]

LAW 13: If one swallowed someone else's saliva, or if he took his own saliva on his hand and then swallowed it, the fast is broken. [Alamgiri, vol.1, pg.203]

LAW 14: If one put a dyed thread in his mouth, due to which the saliva became tinted with its colour, and he then swallowed that saliva, the fast will be broken. [Alamgiri, vol.1, pg.203]

LAW 15: If one was twisting some thread, and he moved it around in his mouth to wet it, and then he repeated the same thing twice or thrice, it will not break the fast, unless some moisture from the thread separated from it and remained in the mouth, and he swallowed the saliva, then in this case the fast will break. [Jauhira]

LAW 16: If tears entered the mouth and one swallowed it, and it was only one or two drops, then the fast will not break; and if it was more than this, and the salty taste of it can be felt in the entire mouth, then the fast will break. The same rule applies to perspiration. [Alamgiri, vol.1, pg.204]

LAW 17: If the anus comes out (hangs out), then the ruling is that it should be properly wiped (cleaned) with a cloth, and then only should one get up, so that there is no moistness left on it at all. If some water was still on it and one stood up, causing the water to go inside, the fast has been broken. It is for this reason that the Fuqaha (The Jurists) have stated that the fasting person should not take (deep) breaths when performing Istinja (as is the normal procedure when making Istinja). [Alamgiri, vol.1, pg.204]

LAW 18: If one kissed a female or touched her, or was intimate with her, or hugged her and there was seminal discharge, then the fast has been broken, and if a female touches a male and he has seminal discharge, then the fast will not break. If he touched a female over her clothes, and the fabric is so thick that one cannot feel the body warmth, the fast has not been nullified, even if there was seminal discharge. [Alamgiri, vol.1, pg.304]

LAW 19: If one intentionally vomits a mouthful and he remembers that he is fasting, then the fast is definitely broken. If he vomited less than a mouthful, the fast will not break. If he vomited involuntarily, then whether it is a full mouth of not, and in any case, if it went back into the throat, or if he pulled it back into the throat, or if it did not go back, or even if he did not pull it back in, and if it is not a mouthful, the fast will not break, even if it went back into the throat or if he pulled it back himself; and if it was a mouthful and even if only the equivalent of a gram (chana) went down the throat, the fast will be nullified, otherwise not. [Durr-e-Mukhtar, vol.2, pg.151/152]

LAW 20: This ruling regarding vomiting is only applicable if food, bile or blood is present in the vomit. If phlegm comes up in the vomiting, the fast is definitely not broken. [Alamgiri, vol.1, pg.204]

LAW 21: The rule concerning a person who without a valid reason eats openly (i.e. publicly), is that he should be executed. [Raddul Muhtar, vol.2, pg.151]

CIRCUMSTANCES WHEN ONLY THE QAZA IS NECESSARY

LAW 1: If one was under the impression that it is not Subho Saadiq (True Dawn) as yet, and he ate, drank or was intimate, and later he realised that true dawn had already appeared; or if he was forced to eat or drink something and Ikraah-e-Shar'i[2] is established (in this situation), and even if he ate this with his own hand, then in this case, only that Qaza is necessary, in other words, he will only have to keep one fast to cover that fast. [Durr-e-Mukhtar, vol.2, pg.139, etc.]

LAW 2: If one forgetfully ate, drank, or was sexually intimate, or if he had seminal discharge due to looking, or if he had Ihtilaam (nocturnal emission), or if he vomited; then in all these cases if he was under the impression that the fast had been nullified, and he thus ate intentionally, then to keep Qaza of just the one fast is Fard. [Durr-e-Mukhtar, vol.2, pg.139]

1: This is the ruling in a Muslim Empire under the leadership of a Muslim Ruler.

2: Ikraah-e-Shar'i is when someone threatens the fasting person, telling him that if he does not break the fast, then he will kill him, or he will break his hands and legs, or he will cut off the persons nose or ears or some other body part etc., or that he will beat him up severely, and the fasting person feels that whatever this person is saying, he will surely do it.

LAW 3:

- If one put oil into the ear
- If one had a wound that reaches the membrane of the brain or the stomach and medicine was put into it, causing it to reach the stomach or the brain,
- If one had an enema administered
- If one sucked medicine into the nostrils
- If one ate stones, pebbles, paper or grass etc. which causes people to feel disgust
- If in Ramadaan one remained as if fasting without Niyyat
- If one did not make the intention at True Dawn, but only made it before Zawaal, and after making the Niyyat, he ate something
- If one had the Niyyat of Fasting, but he did not make the Niyyat for the fast of Ramadaan
- If a drop of rain or hail entered the throat
- If one swallowed a large amount of tears or perspiration

- If one was intimate with a very small girl who is not capable of intimacy[1]
- If one had intercourse with a dead person, or with an animal,
- If one was intimate in the thigh or stomach,
- If one kisses someone
- If one sucked on the lips of a female
- If one touched the body of a female, even if there is clothing in-between, but the warmth of the body can be felt, and in all these situations (of intimacy) there was also seminal discharge
- If one masturbated thereby having seminal discharge

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1. It must be noted that for a male to have any sexual intimacy with a male and for a female to have any such intimacy with a female is a cursed, forbidden and sinful act. The same applies to such intimacy with animals, minor children and deceased. One who does this invites the Wrath of Allah and will be severely punished for this huge sin in the hereafter. These situations are only being explained here to clarify the Shariah rulings in this regard. This point should be kept in mind when reading any other law in this relation throughout the Bahaar e Shariat or in any other authentic book of Islamic law. Giving examples of such cases in no way implies or makes such sinful acts permissible, but these are explained to clarify the law if (Allah forbid) such situations arise.

- If one had seminal discharge by way of 'Mubashirat-e-Faahisha'[1]
- If with the exception of the Ada (current fasts) of Ramadaan he caused any other fast to become nullified, even though it may have been the Qaza fast of Ramadaan
- If a female was sleeping and whilst she was asleep, intimacy took place with her
- If she was in a conscious state in the morning and made the Niyyat to fast, and then became insane, and intimacy was performed with her in that condition
- If one is under the impression that it is still night, and he ate Sehri
- If there was a doubt as to whether it was still night time, but one ate Sehri, whereas it was already morning
- If one made Iftaar and was under the impression that the sun has already set, whereas it had not as yet set
- If two people gave Shahaadat that the sun has set and two gave Shahaadat that it is daytime, and you made Iftaar, and later you realised that the sun had not set.

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1. Mubashirat-e-Faahisha: refers to a male touching his erect penis against the private parts of a female or the private parts of another male; or if a female rubs her private part against the private part of another female and there is nothing (clothes etc.) between them.

In all the above cases only the Qaza will be necessary and not the Kaffarah. [Durr-e-Mukhtar, vol.2, pg.140-145]

LAW 4: If a Musafir (traveller) took up residence; or if a female attained purification from Haidh or Nifaas; or if an insane person regained his/her senses; if one was ill and became well, the one whose fast was nullified, even if someone made him forcefully break his fast, or if water etc. is going into the throat by mistake;

if a person was a kaafir and he became a Muslim; if one was Na-Baaligh and became Baaligh; if one thought it was night time and ate Sehri, whereas it was already morning; if one thought the sun had set and made Iftaar, whereas the daytime still remained; then in all the above circumstances, it is Waajib to complete the remainder of the day like a fasting person would. (In the above circumstances) there is no Qaza upon the Na-Baaligh who became Baaligh and upon the kaafir who became a Muslim. All these others must keep the Qaza fast. [Durr-e-Mukhtar, vol.2, pg. 135-142]

LAW 5: If a Na-Baaligh became Baaligh in the day, or if a kaafir became Muslim in the day and it was a time wherein the Niyyat of Fasting can be made, and they did make the Niyyat, but then broke the fast; then the Qaza for that day is not Waajib upon them. [Raddul Muhtar, vol.2, pg.147]

LAW 6: If a child reaches the age of ten years, and he has the strength to fast, then he should be made to fast, and if he does not fast, he should be reprimanded and made to fast. If it is seen that he has the full strength to keep fast, but he kept the fast and then broke it, the command of Qaza will not be given to him, but if he breaks his Namaaz, he should be made to repeat it. [Raddul Muhtar, vol.2, pg.147]

LAW 7: If a menstruating female, or one in post-natal bleeding becomes paak (pure) after Subho Saadiq, and if she made the Niyyat of fasting before Zahwa e Kubra, then the fast for that day is not valid, be it Fard or Nafil. If a Mareedh (ill person) or Musafir (traveller) made Niyyat, or if a Majnun (insane person) regained his senses and then made Niyyat, then the fast kept by all of them is valid. [Durr-e-Mukhtar, vol.2, pg.146/147]

LAW 8: If one was engrossed in sexual intimacy before Subho Saadiq, or if he was forgetfully engrossed in it, and the moment true dawn appeared, he remembered, and on remembering, if he immediately pulled away, then there is nothing, and if he remained in this condition, then Qaza is Waajib, but there is no Kaffarah. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.147]

LAW 9: If the fast of a deceased person had become Qaza (i.e. he passed away and was liable for Qaza fasts), then his guardian should pay the Fidya (compensation/payment) on his behalf. In other words, this applies if the deceased had made a Wasiyat (Bequest) for the same, and he left behind sufficient funds; otherwise, it is not necessary for the guardian to fulfil it, but if he does so, it is better (more virtuous). [Alamgiri, vol.1, pg.207]

CIRCUMSTANCES WHEN KAFFARAH (EXPIATION) IS ALSO NECESSARY

LAW 1: If in Ramadaan a Mukal'laf (responsible and accountable person) Muqeem (resident, i.e. non-traveller), kept fast with the Niyyat (intention) of 'Ada' (keeping the current fast) of Ramadaan, and he had intercourse with a person who is capable of sexual arousal (lustful feelings), in their front or rear private part, be this whether there was seminal discharge or not, or if someone had intercourse with a fasting person; or if one ate something (food etc.) or some medicine, or if one drank water, or if one ate or drank something to get pleasure, or if one did such an act by which the (time) of Iftaar cannot be determined, and he determined that his fast is broken, and then he intentionally ate and drank, for example if he had phlebotomy or cupping done, or if he applied Surmah (collyrium), or was intimate with an animal, or if he touched a female, or kissed her, or slept beside her, or performed Mubashirat-e-Faahisha, but there was no seminal discharge in any of these situations, or if he placed a dry finger in the rear private part; and after doing any of these (the above mentioned), if he intentionally ate something, then in all the above cases, the Qaza and the Kaffarah (expiation) are both essential (i.e. necessary). Additionally, in the case where there was no chance of assuming it to be the time of Iftaar and he assumed that it was, and some Mufti gave the Fatwa (edict) that the fast had become invalid, and the Mufti is one in whom the people of the city have full confidence, and the person intentionally ate after the Mufti issued this Fatwa; or if he heard such a Hadith from which he could not really derive the proper understanding, and through this incorrect understanding he felt that the fast was nullified, and he intentionally ate, then in this case the Kaffarah is not necessary, even if the Mufti gave the incorrect Fatwa,

or if the Hadith which he heard could not be verified. [Durr-e-Mukhtar, vol.2, pg.147-149]

LAW 2: In the circumstances where Kaffarah becomes necessary after breaking the fast, the condition is that one must have made the Niyyat for the fast of Ramadaan from the night (i.e. before Subho Saadiq), and if he made the Niyyat during the daytime (after Subho Saadiq), and then broke it, the Kaffarah is not necessary. [Shaami, vol.2, pg.147]

LAW 3: If the Musafir reached home (i.e. his permanent residence) after Subho Saadiq, but before Zahwa e Kubra, and he made the Niyyat for fasting, and then broke it; or if a Majnun (insane person) regained his senses at that time and hence made the Niyyat of fasting, and then broke it, there is no Kaffarah. [Alamgiri, vol.1, pg.206]

LAW 4: For the Kaffarah to become necessary (essential) it is also necessary that after breaking the fast, no such thing took place, which is contrary to fasting; or something which is not within your control (without choice), through which one has the Rukhsat (permission) to make Iftaar; for example, if a female got her menstrual cycle, or began post-natal bleeding on the same day; or after breaking the fast on that day, one was afflicted by such an illness, in which one is exempt from fasting, then (in this case) the Kaffarah falls away; but it will not fall away due to travelling, because this is something which is within your control. Similarly, if you wounded yourself and the situation becomes such that you are not able to fast, then in this case also the Kaffarah will not fall away. [Alamgiri, vol.1, pg.206]

LAW 5: If one committed such an act which causes Kaffarah to become Waajib, but the King/Ruler then compelled him to go on a journey, then in this case the Kaffarah will not fall away.

LAW 6: If a male was forced to be sexually intimate, or if a female was forced to be sexually intimate by a male, and then during the intimacy, he or she became comfortable to partake wilfully, then in this case the Kaffarah is not necessary, because the fast has already broken initially. [Jauhira] Being compelled (or helpless) here, refers to Ikraah-e-Shar'i in which the person is facing the real threat of either being killed, or his limbs being cut off, or being severely beaten, and in this situation the fasting person realises that if he or she does not listen to the person, then he will do as he has threatened.

LAW 7: For Kaffarah to become necessary, it is not necessary that he or she eats a full stomach of food. Even eating a little will make it (Kaffarah) Waajib. [Jauhira]

LAW 8: If one applied oil or took part in backbiting, and he then felt that his fast has been broken (due to this); or some Aalim gave a Fatwa that the fast is broken, and the person ate and drank, then in this case, the Kaffarah is still necessary. [Durr-e-Mukhtar, vol.2, pg.149/150]

LAW 9: If one vomited, or he forgetfully ate, or was sexually intimate, and in all these situations he knew that the fast has not been nullified, but he still ate thereafter, then Kaffarah is not necessary. If he had Ihtilaam, and he knows that this did not break the fast, but he still ate thereafter, the Kaffarah is necessary. [Raddul Muhtar, vol.2, pg.148]

LAW 10: If he spat out saliva and then sucked it up; or if he swallowed the saliva of someone else, then in this case there is no Kaffarah, but if he swallowed the saliva to attain the pleasure of his beloved, or if he swallowed the saliva as Tabarruk of a pious person, then the Kaffarah is necessary. [Raddul Muhtar, vol.2, pg.148]

LAW 11: In the cases where there is no Kaffarah for breaking the fasts, the condition here is that, it must have happened only once, and he had not intended to commit this error (sinful act), otherwise one has to give Kaffarah for it. [Durr-e-Mukhtar, vol.2, pg.145]

LAW 12: If one ate raw meat, even though it may be that of the carrion, Kaffarah is necessary, unless it has become rotten and contaminated with worms, then in this case there is no Kaffarah. [Raddul Muhtar, vol.2, pg.141]

LAW 13: Eating sand will not make Kaffarah necessary, but if one eats Gil-e-Armani (Armenian bole), or that sand which he or she has a habit of eating, then Kaffarah will be Waajib. If one ate a little salt, Kaffarah is Waajib and if one ate a lot, it is not Waajib. [Jauhira, Alamgiri, vol.2, pg.205]

LAW 14: If one dipped bread (roti) in impure (Najis) gravy and then ate it; or if he usurped something belonging to someone else, and ate it, then the Kaffarah is Waajib; and if there was blood in ones saliva, even if the blood is more (than the saliva), and he swallowed it, or if he drank the blood, there is no Kaffarah. [Jauhira]

LAW 15: If one ate raw quince or pistachio; or roasted walnuts or dried ones; or if he swallowed roasted almonds, or an egg with its shell, or a pomegranate with its peel, then there is no Kaffarah, and if he ate dry (raw) pistachio or raw almonds by chewing it, and it also has the pith in it, then there is Kaffarah for this, and if he swallowed it roasted, then there is no Kaffarah, even though it may be split. If one swallows wet roasted almonds, there is Kaffarah for this. [Alamgiri, vol.1, pg.202]

LAW 16: If one ate the herbs of gram (chana), the Kaffarah is Waajib. The same rule applies to the leaves of trees, if they are commonly eaten, otherwise not. [Alamgiri, vol.1, pg.205]

LAW 17: If one ate the peel of a musk-melon or sweet-melon, then if it is dried up, and in such a state that people dislike eating it, then there is no Kaffarah; otherwise there is. If one ate some rice (Chaawal), millet (Baajra), black lentils (Masoor) and green lentils (Moong), there is no Kaffarah. The same ruling applies to raw barley. If it is roasted (cooked), then the Kaffarah is necessary. [Alamgiri, vol.1, pg.203-205]

LAW 18: If one took a sesame seed or some other thing to eat, which is equivalent to a sesame seed, and from outside, put it into the mouth and swallowed it without chewing, the fast has been nullified and Kaffarah is Waajib. [Durr-e-Mukhtar, vol.2, pg.153]

LAW 19: If someone else chewed a morsel (of food) and gave it to someone, and he ate it, or if he took it out of his own mouth and then ate it, there is no Kaffarah. [Alamgiri, vol.1, pg.203] This is on condition that he does not regard that which was chewed by the person to be pleasurable, or a Holy blessing (Tabarruk).

LAW 20: If a morsel of Sehri was in one's mouth and True dawn appeared, or if he was forgetfully eating and while the morsel was in his mouth, he remembered, but swallowed it, then in both cases Kaffarah is Waajib. If he took it out of his mouth and then again ate it, then only Qaza is Waajib and not Kaffarah. [Alamgiri, vol.2, pg.203]

LAW 21: If a female had intercourse performed with a Na-Baaligh or with a Majnun, or if she compelled the man to be intimate (with her),

then Kaffarah is Waajib on the female and not on the male. [Alamgiri, vol.1, pg. 204/205]

LAW 22: If one ate musk, saffron, camphor and vinegar, or if he drank the water (juice from) musk-melon, sweet-melon, cucumber or Baaqila (kind of bean), the Kaffarah is Waajib. [Alamgiri, vol.1, pg.205]

LAW 23: If a fasting person is brought forth to be executed in the month of Ramadaan, and he asked for water and someone gave him water, and he was then released (i.e. the execution was stayed), then the Kaffarah is Waajib on him. [Alamgiri, vol.1, pg.206]

LAW 24: If one is usually afflicted by intermittent fever on a particular day, and today was that day, and he assumed that the fever will come, so he broke the fast with intent, then in this case the Kaffarah falls away (i.e. there is no Kaffarah). Similarly, if a female is used to getting her menstrual cycle on a particular day, and today was the day her cycle comes, so she intentionally broke her fast, but the menstrual cycle did not come, the Kaffarah falls away. If one had full conviction that today he will have to fight the enemy and he broke the fast, but the battle did not take place, the Kaffarah is not Waajib. [Durr-e-Mukhtar, vol.2, pg.151]

LAW 25: The Kaffarah for breaking a fast (intentionally) is that if possible one should free one 'Raqaba,' in other words, to free one male or female slave. For example, if he does not have a handmaid or slave, or he does not have sufficient funds to buy one, or if he has the funds, but a 'Raqaba' is not available, just as it is the case nowadays here in India (and in other countries as slave trade is not existing), then one should keep sixty fast one after the other, and if one is unable to do this as well, then he (or she) should feed sixty needy persons a

stomach full meal for two meals. In the case of fasting, if in the midst (of keeping the sixty fasts), even one day is missed, one should start afresh from today again, and the fasts which were kept before this will not be counted, even if he had already kept fifty-nine fasts, and even if he missed out that one because of illness or some other reason, except in the case of a female, in the situation when she gets her menstrual cycle, then in this case, the days which she missed due to her menstruation will not be counted as missed. In other words, the fasts before the Haidh and the ones after the Haidh will be added up to make sixty and this will fulfil the Kaffarah. [Many books of Fiqh, Raddul Muhtar, vol.4, pg.447]

LAW 26: If one broke two fasts, then he is liable for two Kaffarah, even though he has not as yet discharged the Kaffarah of the first one. [Raddul Muhtar] In other words, if both fasts are from two separate Ramadaans. If both fasts are from the same Ramadaan, and he has not discharged the Kaffarah of the first fast as yet, then one Kaffarah is sufficient for both. [Jauhira] More Juz'iyaat regarding Kaffarah will be discussed in the Chapter on Zihaar, In'sha Allah.

LAW 27: Kaffarah will become Waajib on everyone, be it a freeman, a slave, male, female, King, or beggar. Even if a slave-girl knew that True Dawn has broken, and she mentioned to her master that true dawn has not broken as yet, and he was intimate with her, Kaffarah is Waajib on the slave-girl, and her master will only be liable for Qaza. [Raddul Muhtar, vol.2, pg.150]

THE MAKRUH ACTIONS OF FASTING

AHADITH E MUBAARAKA

HADITH 1 & 2: Bukhari, Abu Dawud, Tirmizi, Nasa'i and Ibn Majah have reported from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'Allah has no need for a person who speaks vile words and does not abstain from this (sinful) manner, to leave his eating and drinking.'

A similar narration is present in Tabrani from Sayyiduna Anas ﷺ.

HADITH 3 & 4: Ibn Majah, Nasa'i, Ibn Khuzaimah, Haakim, Baihaqi and Daarimi have reported from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'There are many such fasting persons, who feel nothing except thirst from their fast, and there are many who stand (in Ibaadat) at night, who achieve nothing except for staying awake.'

A similar narration is present in Tabrani from Ibn Umar رضی اللہ تعالیٰ عنہما

HADITH 5 & 6: Baihaqi reports from Abu Ubaidah ﷺ and Tabrani from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'Fasting is a shield, for as long as you do not tear it apart (i.e. destroy it).' It was asked, 'What causes it to be destroyed?' He ﷺ said, 'Lies and backbiting.'

HADITH 7: Ibn Khuzaimah, Ibn Hib'ban and Haakim have reported from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'Fasting does not (merely) refer to abstaining from eating and drinking. Fasting is to abstain from vulgar and offensive speech.'

HADITH 8: Abu Dawud reported from Abu Hurairah ﷺ that a person asked Nabi ﷺ about a fasting person having sexual intimacy. Rasoolullah ﷺ gave him permission. Another person then came and asked the same question, so He ﷺ forbade him. The one whom he permitted was a very old person and the one whom he forbade was a young person.

HADITH 9: Abu Dawud and Tirmizi report from Aamir bin Rabee'a ﷺ. He says, 'On numerous occasions I saw Nabi ﷺ perform Miswaak whilst fasting.'

LAWS OF JURISPRUDENCE

LAW 1: To tell lies, backbite, be vulgar (swear), speak shamelessly, cause harm to someone, are all actions which are impermissible and Haraam at any given time, and during fasting they are Haraam at a greater level, and due to these actions, the fast becomes defective / disapproved (Makruh).

LAW 2: It is Makruh for a fasting person to taste or chew anything without a valid reason. One is allowed to taste something, if a woman's husband or the master of a handmaid or slave is ill-tempered, and if the salt (in the food) is less or more, it will cause him to become infuriated, so to taste (the food) in such a situation is allowed.

In regards to chewing, the reason where one is allowed to chew something, is if the child is so small that he or she is not able to eat the roti (bread), and there is also no soft food available to feed him, and there is neither any other woman there, such as one who is not fasting due to Haidh or Nifaas, who can chew the bread and then feed it to

him, then in this case to chew the roti etc., in order to feed it to the child is not Makruh. [Durr-e-Mukhtar, vol.2, pg.153]

The meaning of 'tasting' is not that which is commonly used today; in other words to eat a little bit of something to find out its taste; in this there is not only disapproval, but it will in fact break the fast, and if the conditions of Kaffarah exist, then even the Kaffarah will be necessary. In reality, 'tasting' means that it should be kept on the tongue and then tasted, and it should then be spat out. Nothing from it should be allowed to go down into the throat.

LAW 3: If one purchased something and it is necessary to taste it, because if not tasted it will lead to loss, then in this case there is no harm in tasting, otherwise it will be Makruh. [Durr-e-Mukhtar, vol.2, pg.153]

LAW 4: To taste something without an 'Uzr' (a valid Shar'i justification), which has been mentioned to be Makruh, is only applicable in the Fard Fast. There is no harm in doing so in Nafil Fasts, whereas there is a need for it. [Raddul Muhtar, vol.2, pg.153]

LAW 5: It is Makruh to kiss a female, hug her, or to touch her body, if there is a risk of having seminal discharge, or if there is a risk that one will end up being sexually intimate; and to suck on the lips or tongue whilst fasting is absolutely Makruh (i.e. be there a risk of seminal discharge or not), and the same applies to Mubashirat-e-Faahisha. [Raddul Muhtar, vol.2, pg.153]

LAW 6: To smell rose or musk etc. or to apply oil in the moustache or beard, or to apply Surmah (to the eyes) is not Makruh, unless Surmah is applied as a means of beautification (cosmetic), or if oil was applied

to lengthen the beard, whereas it is already one fist in length. These two things are Makruh even outside of Fasting, and thus even more so during fasting. [Durr-e-Mukhtar, vol.2, pg.155]

LAW 7: To use a Miswaak whilst fasting, be this whether the Miswaak is wet or dry, even if it was moistened with water, and be this before Zawaal or after Zawaal, it is not Makruh at any time. [General Books, Alamgiri, vol.1, pg.199]

LAW 8: To have phlebotomy done, or to have cupping done is not Makruh, if there is no risk of feeling weakness; and if there is risk of feeling weakness, then it is Makruh. One should rather delay it until after sunset. [Alamgiri, vol.1, pg.199-200]

LAW 9: It is Makruh for a fasting person to use excessiveness in rinsing the mouth and when putting water into the nostrils. Being excessive whilst rinsing the mouth means taking a mouthful of water, and to rinse the mouth, except in Wudu and Ghusl. To put water into the nose in order to bring coolness to the body, or to bring coolness (to the body) by taking a bath or wrapping a wet cloth on the body, are (all) not Makruh. However, if one wrapped a wet cloth over the body to display discomfort, then this is Makruh, as to display lack of resolution in Ibaadat is not a good thing. [Alamgiri, vol.1, pg.199; Durr-e-Mukhtar, vol.2, pg.156]

LAW 10: Passing air (flatulence) whilst in water does not break the fast, but it is Makruh. It is also Makruh for a fasting person to be excessive when performing Istinja. [Alamgiri, vol.1, pg.199]

Note: Mujaddid e Azam Aala Hazrat Imam Ahmed Raza Khan ﷺ states that, if when chewing on a Miswaak, it bristles (strands) come loose, or the taste is felt, then one should not make such Miswaak when fasting.

At any other time, it is commanded that in Istinja one should exert pressure downwards, but during fasting, this is Makruh.

LAW 11: To gather saliva in the mouth and then swallow it is disliked when one is not fasting, and whilst fasting, it is Makruh (disapproved). [Alamgiri, vol.1, pg.199]

LAW 12: During Ramadaan it is impermissible to do such things which cause one to become so weak, that one feels there is a predominant likelihood of breaking the Fast. A baker should thus bake bread until midday, and he should then take rest for the remainder of the days. [Durr-e-Mukhtar, vol.2, pg.157]

This command is (also) for builders, labourers and those who do physically challenging jobs. If there is a risk of becoming very weak, then one should lessen the work and fulfil the fasts.

LAW 13: If a person keeps fast and he will become so weak that he will not be able to perform his Namaaz whilst standing, then in this case the command is that he should keep the fast and perform his Namaaz whilst sitting. [Durr-e-Mukhtar, vol.2, pg.158]

This applies when he is unable to the extent which has been mentioned in the chapter of Namaaz of a Mareedh (Ill person).

LAW 14: To eat Sehri and to delay this (to the later time) is Mustahab. However, it is Makruh to delay it up to the time when one has doubt with regards to the breaking of True Dawn (Subho Saadiq). [Alamgiri, vol.1, pg.200]

LAW 15: It is Mustahab to be swift in Iftaar, but one should only make Iftaar when one is positively certain that the sun has set. One should not make Iftaar unless he is positively certain, even though the Muaz'zin may have called out the Azaan. The Iftaar should not be made too quickly (i.e. the fast should not be terminated) so quickly. [Raddul Muhtar, vol.2, pg.157]

LAW 16: One may make Iftaar based on the word of one Aadil, on condition that he has conviction in his words being truthful; if this cannot be verified, then one should not just make Iftaar on his word. Similarly, in this case, one should not even make Iftaar on the word of a Mastur.

Nowadays, in many Muslim areas, there is the tradition of firing the cannon. One may make Iftaar based on this, even if the one firing the cannon is a Faasiq, on condition that it is fired on the command of an expert in timings, and who is regarded as a reliable person in Deeni issues.

Nowadays, even the Ulama in general are not accomplished in this science, and as for the calendars (time tables) which are published, then most of them are incorrect, so to act based on these is impermissible. In many places, at the time of Sehri, the drum is beaten.

This too is regarded reliable with the aforementioned conditions, no matter what and how the one beating it may be. [Raddul Muhtar, vol.2, pg.145]

LAW 17: At the time of Sehri, even the crowing of the cock is not regarded reliable, because it is often seen that it starts to crow long before True dawn breaks, but during winter months, some cocks start to crow from as early as 2am, whereas there is much time remaining before Subho Saadiq. Similarly, they start crowing by hearing people talking and due to their movement, and by seeing brightness. [Raddul Muhtar, vol.2, pg.145]

LAW 18: To absolutely regard Subho Saadiq as the sixth of seventh portion of night is incorrect. As for the exact time of Subho Saadiq, then to understand this in detail, study the chapter on 'Times of Salaah', which has been discussed in Bahaar e Shariat volume 3.

SEHRI AND IFTAAR

AHADITH E MUBAARAKA

HADITH 1: Bukhari, Muslim, Tirmizi, Nasa'i and Ibn Majah report from Anas ﷺ that Rasoolullah ﷺ said, 'Eat Sehri, as there is Barakah (Blessing) in eating Sehri.'

HADITH 2: Muslim, Abu Dawud, Tirmizi, Nasa'i and Ibn Khuzaimah report from Amr ibn A'as ﷺ that Rasoolullah ﷺ said, 'The difference between our fasts and the fasts of the people of the book, is the morsel of Sehri.'

HADITH 3: Tabrani reported in Kabeer from Salmaan Farsi ﷺ that Rasoolullah ﷺ said, 'There is Barakah in three things, in Jama'at, in Thareed (an Arabian dish made from pieces of bread), and in Sehri.'

HADITH 4: It is in Tabrani Awsat and in the Sahih of Ibn Hib'ban from Ibn Umar رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'Almighty Allah and His Angels send Durood (blessings) upon those who eat Sehri.'

HADITH 5: Ibn Majah, Ibn Khuzaimah and Baihaqi report from Ibn Ab'bas رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'By eating Sehri, seek relief for the fasting of that day, and by performing Qaylula (brief midday rest), (seek relief) for standing in prayer at night.'

HADITH 6: Nasa'i reports from a Sahabi with the merit of Hasan. He says, 'I presented myself in the Court of Rasoolullah ﷺ and He ﷺ was eating Sehri. He ﷺ said, 'This is Barakah (a blessing) which Almighty Allah has given you, so do not leave it.''

HADITH 7: It is reported in Tabrani Kabeer from Abdullah ibn Ab'bas رضی اللہ تعالی عنہما that Nabi ﷺ said that, In'sha Allah, there will be no accountability upon three people for eating, as long as they eat Halaal:

1. A fasting person

2. The one who eats Sehri

3. One who ties his horse on the border (of the enemy lines)

HADITH 8: TO 10: Imam Ahmed reports from Abu Sa'eed Al Khudri رضی اللہ عنہ that Rasoolullah ﷺ said, 'All of the Sehri is Barakah (Blessing), so do not leave it, even if it means drinking a single sip of water, because Allah and His Angels send Durood (blessings) upon those who eat Sehri.'

There are similar narrations from Abdullah ibn Umar, Saa'ib ibn Yazid and Abu Hurairah رضی اللہ تعالی عنہم.

HADITH 11: Bukhari, Muslim and Tirmizi report from Sahl ibn Sa'ad رضی اللہ عنہ that Rasoolullah ﷺ said, 'People will always live well, for as long as they are swift in Iftaar.'

HADITH 12: Ibn Hib'ban reports in his Sahih from Sahl ibn Sa'ad رضی اللہ عنہ that Rasoolullah ﷺ said, 'My Ummah will remain on my Sunnah, for as long as they do not wait for the stars to make Iftaar.'

HADITH 13: Ahmed, Tirmizi, Ibn Khuzaimah and Ibn Hib'ban report from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'Almighty Allah has said, 'The ones most beloved to Me amongst My servants, are those who are swift in making Iftaar."

HADITH 14: It is in Tabrani Awsat from Ya'la bin Mur'rah ﷺ that He said, 'Three things are beloved to Allah; to be swift in Iftaar, to delay (eating) Sehri, and to keep one hand over the other hand in Namaaz.'

HADITH 15: Abu Dawud, Ibn Khuzaimah and Ibn Hib'ban report from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'This Deen (Islam) will always remain dominant, for as long as people will be swift in Iftaar, for the Jews and Christians delay (breaking their fasts).'

HADITH 16: Imam Ahmed, Abu Dawud, Tirmizi, Ibn Majah, and Daarimi report from Salmaan bin Aamir Ad-Dabbi ﷺ that Rasoolullah ﷺ said, 'When one of you ends his Fast (i.e. makes Iftaar), he should do so with dates or dried dates, as it is Barakah (a blessing), and if you do not find dates, then do so with water, as it is a purifier (cleanser).'

HADITH 17: Abu Dawud and Tirmizi report from Anas ﷺ that Rasoolullah ﷺ would make Iftaar with fresh dates before Namaaz, and if there were no (fresh) dates, then He ﷺ would do so with few dried dates, and if this too was not available, He ﷺ would drink few handfuls of water.

DUA FOR IFTAAR: Abu Dawud further reported that at the time of Iftaar, Rasoolullah ﷺ would recite this Dua:

اَللّٰهُمَّ لَكَ صُمْتُ وَعَلٰى رِزْقِكَ اَفْطَرْتُ

Allahum'ma Laka Sumtu Wa 'Ala Rizqika Aftartu

O Allah! I have fasted for you, and I have made Iftaar
with sustenance provided by You

HADITH 18: Nasa'i and Ibn Khuzaimah report from Zaid bin Khalid Jahni ﷺ that he said, 'The one who provides for the Iftaar of a fasting person, and the one who provides supplies for a Ghazi (Muslim soldier), will also receive the same reward (as the one for whom he has provided).'

HADITH 19: It is in Tabrani Kabeer from Salman Farsi ﷺ that Rasoolullah ﷺ said, 'One who provided Halaal food or water for Iftaar, the Angels make Dua e Istighfar for him during the duration of Ramadaan, and Jibra'eel عليه الصلوة والسّلام makes (Dua) Istighfar for him on Laylatul Qadr.'

It is mentioned in one narration that the person who provides Iftaar (to someone) in Ramadaan from Halaal earnings, then the Angels send Durood (blessings) upon him during all the nights of Ramadaan, and on the Night of Qadr, Jibra'eel عليه الصلوة والسّلام makes Musafaha with him (i.e. shakes his hands).

One narration mentions that Rasoolullah ﷺ said, 'One who feeds water to a fasting person, Allah will feed him water from My Haudh (Pond), and he will never be thirsty again, and he will enter Jannat (in this condition).'

WHEN IS ONE EXEMPT FROM FASTING?

HADITH 1: It is reported in Sahihain from Ummul Mo'mineen A'isha رضی اللہ تعالی عنہا. She says, Hamza bin Amr Aslami ﷺ used to keep fast in abundance, so he asked Nabi Kareem ﷺ if he should fast whilst on journey, so He ﷺ said, 'If you wish to , then you may keep them, and if you do not wish to, then you do not have to (i.e. you have the choice).'

HADITH 2: It is in Sahih Muslim from Abu Sa'eed Al Khudri ﷺ. He says, 'On the 16th of Ramadaan we went out in Jihad with Rasoolullah ﷺ. Some from amongst us kept the fast whilst some did not. However, neither did the ones who were fasting find fault in the ones who were not fasting, nor did the ones who were not fasting find fault in those who were fasting.'

HADITH 3: Abu Dawud, Tirmizi, Nasa'i and Ibn Majah reported from Anas bin Malik Ka'ab ﷺ that Rasoolullah ﷺ said, 'Allah has pardoned (exempted) the Musafir (traveller) from half Namaaz (i.e. he will read two Raka'ats instead of the four Fard), and He has pardoned (exempted) the Musafir, a female who is suckling (her infant), and a pregnant female from fasting (i.e. they have permission, and they do not have to keep the fasts at that time, but they can discharge it afterwards).'

LAWS OF JURISPRUDENCE

LAW 1: All the following are valid reasons due to which one is exempt from fasting and if one does not fast in these circumstances, then one is not sinful;

1. During a journey
2. During Pregnancy
3. Whilst suckling the infant (i.e. breastfeeding)
4. In Illness (which hinders one from fasting)
5. Old age
6. Fear of Death
7. Ikraah (where there is a real threat of one's life etc being endangered)
8. Harm to ones intellect (state of mind)
9. In Jihad. [Durr-e-Mukhtar, vol.2, pg.157/158]

LAW 2: A journey here refers to a Shar'i Journey (i.e. that which the Shariah stipulates as a journey). In other words, to intend to go out on a journey, the distance of which from here to there (the one place to the other) is the distance of three days, even though the journey is for some impermissible reason. [Durr-e-Mukhtar, vol.2, pg.158]

LAW 3: If one travelled in the daytime (on a particular day), then to break the fast of that day, for the journey of today is not a valid reason. However, if he does break it, the Kaffarah is not necessary, but he will be sinful. If he broke the fast before travelling, and then embarked on the journey, then the Kaffarah is also necessary. If he journeyed in the day and forgot something at home, and returned home to collect it, and he broke his fast at his home, then Kaffarah is Waajib. [Alamgiri, vol.1, pg.206/207]

LAW 4: If a Musafir took up (permanent residence) before Zahwa e Kubra, and he has not as yet eaten anything, then it is Waajib for him to make the Niyyat of fasting. [Jauhira]

LAW 5: If a pregnant woman or one who is breastfeeding her infant truly fears that her life, or the life of the baby is in danger, then she is permitted not to fast during this time, even though the one breastfeeding the baby is the baby's mother or her wet nurse, even if she has taken up the job to feed the baby milk in Ramadaan. [Durr-e-Mukhtar, vol.1, pg.159]

LAW 6: If an ill person believes there is a predominant likelihood that the illness will increase or that it will take longer for him to become well, or if a healthy person believes there is a predominant likelihood that he will become ill (if he fasts), or if a maid or male servant believes that there is a predominant likelihood that they will feel such severe weakness which they cannot bear, then in all these situations, they are all permitted not to fast on that day. [Jauhira, Durr-e-Mukhtar, vol.2, pg.159]

LAW 7: In these cases, the condition is that of 'Ghalib Gumaan' (i.e. on the basis of predominant likelihood). Simply assuming this, is not sufficient. There are three categories of 'Ghalib Gumaan':

1. If the obvious signs of this are evident

2. If that person has personal experience (in this regard)

3. If a Muslim Physician who is Mastur, in other words a non-Faasiq, has informed him (or her) accordingly

If there are neither any signs (symptoms), and nor does one have any experience in this regard, or if a proper physician (as aforementioned) has not advised him accordingly, but if he made Iftaar (broke the fast) on the advice of a physician (doctor) who is an unbeliever or a Faasiq, then Kaffarah is necessary. [Raddul Muhtar, vol.2, pg.159]

If most of the physicians of today are not unbelievers, ten (many) are certainly Faasiq; otherwise to get a reliable (righteous) specialist physician in this era is becoming very rare. Neither can one really rely on their word, and nor can one break one's fast on their advice. You will find that such physicians ask people to abstain from fasting due to even very minor illnesses. They do not even realise in which illness fasting will be harmful and in which illness it would not be.

LAW 8: If a handmaid (baandi) does not get enough time to fulfil her Faraa'id (obligatory prayers) due to being in the service of her master, then this is not counted as a valid reason. She should fulfil her Faraa'id, and she is not obligated to remain in his service for that amount of time. For example, if the time of her Fard Namaaz is about to expire, then she should leave her duties and fulfil the Fard, and if she obeyed him and left her fast, then she must give Kaffarah. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.160]

LAW 9: If a female starts menstruating, or post-natal bleeding starts, her fast will break, and if she becomes completely paak (cleansed) from Haidh within the full ten days and nights, then in all such cases she will keep the fast of the next day. And if she became paak within fewer days, then if there is sufficient time until True Dawn in which she can have her bath and after that only a limited amount of time will remain, then too she must keep the fast for that day, and if after

she completes her bath, true dawn breaks, then there is no fast (for that day). [Alamgiri, vol.1, pg.207]

LAW 10: A menstruating female, or one in the condition of Nifaas has the option of either eating in privacy or eating openly. It is not necessary for her to remain like a fasting person. [Jauhira] However, it is better for her to eat in privacy, especially for a female who is in Haidh.

LAW 11: If one is faced with hunger and thirst to the extent that there is a real risk of annihilation, or there is fear of damage to one's sanity (mental state), then in such a case he/she should not fast. [Alamgiri, vol.1, pg.207]

LAW 12: If one was compelled to break the fast, he/she has the choice (to either break it or not), and if he/she is patient, then there is great reward in this. [Raddul Muhtar, vol.2, pg.158]

LAW 13: If one was bitten by a snake and his life is in danger, then in this situation, he should break the fast. [Raddul Muhtar, vol.2, pg.158]

LAW 14: Those who have broken their fasts due to some Uzr (a valid Shar'i justification/reason), then it is Fard upon them to keep the Qaza of those fasts (once the Uzr has ended), and Tarteeb (sequence) is not Fard in these fasts. Therefore, if one keeps Nafil fasts before these fasts, the Nafil fasts are valid, but the ruling is that the Qaza fasts should be kept after the Uzr has ended, and before the following Ramadaan comes. It has been mentioned in the Hadith, 'If a person has Qaza of the previous Ramadaan and he does not keep them, then the fasts of his current Ramadaan will not be accepted.' If one did not keep the Qaza fasts, and the next Ramadaan came, he should still first keep

the fasts of the current Ramadaan and he should not keep the Qaza (at this time). Even if a non-Mareedh (one who is not ill), or Musafir made the Niyyat of Qaza, it will still not be regarded as Qaza, but they (those fasts) will be regarded as the fasts of the current Ramadaan. [Durr-e-Mukhtar, vol.2, pg.160] That which is mentioned in the Hadith actually means that even though the fasts will be regarded as discharged, but they will not be accepted until such time that the Qaza fasts are kept.

LAW 15: If personally the Musafir (traveller), or the one travelling with him (i.e. his travel companion) will not be harmed in any way by fasting, then it is more virtuous for him to fast, otherwise it is better (advisable) not to keep the fast. [Durr-e-Mukhtar, vol.2, pg.160]

LAW 16: If these people (who did not keep fast due to some Uzr) die due to the very same Uzr (reason which exempts them from fasting), and they did not get sufficient time in which to keep the Qaza fasts, then it is not Waajib upon them, to make a Wasiyat for the payment of Fidya (before death), and if they still did make the Wasiyat, then it will be fulfilled from one third of their estate. However, if they had sufficient time to keep the Qaza fasts but did not do so, then it is Waajib for them to make a Wasiyat (for payment of Fidya). Also, if they did not keep the fasts intentionally, then it is Waajib to a greater extent to make this Wasiyat before leaving this world. If the person did not make any Wasiyat and the guardian fulfilled this on his behalf, then to do this is also permissible. However, it was not Waajib upon the guardian to fulfil this (payment of Fidya). [Durr-e-Mukhtar, vol.2, pg.160/161; Alamgiri, vol.1, pg.207]

Note: That which is mentioned in the Hadith actually means that even though the fasts will be regarded as discharged, but they will not be accepted until such time that the Qaza fasts are kept.

LAW 17: The Fidya for each fast is the same as the amount for Sadaqa e Fitr. The Wasiyat will only be executed from one third of the (deceased's) estate, if the deceased has left some heirs. If there are no heirs, and all that he is left will have to be used to discharge his Fidya, then in this case it is necessary to use all of it for the Fidya. Similarly, if only the husband or the wife is an heir (inheritor as per Shariah), then one-third will first be removed, and then only will their (the heirs) share of inheritance be given to them. After this, if anything is still left-over, and if it can be used to pay off the Fidya, then it should be spent for this purpose. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.161]

LAW 18: To make Wasiyat for the fasts is only Waajib for those fasts which he was able to keep. For example, he was liable for ten Qaza, but after the Uzr subsided, he only had the ability to keep five, and then he passed away, then the Wasiyat for only five fasts is Waajib. [Durr-e-Mukhtar, vol.2, pg.161]

LAW 19: A person cannot fast on behalf of another person. [General books, Alamgiri, vol.1, pg.207]

LAW 20: If the heirs (of a deceased person) give the compensation for Waajib I'tekaaf and Sadaqa e Fitr, then it is permissible to do so, and the amount for this is the same which is for Sadaqa e Fitr. If they wish to pay the Zakaat (owed by the deceased), then they should pay out that which was Waajib (upon him). [Durr-e-Mukhtar, vol.2, pg.163]

LAW 21: If a Shaykh Al Faani, meaning such an old person whose age is such that he will become weaker as the days go. If he is not able to keep fast any longer, meaning that there is no real hope that he will have sufficient strength to fast in the future, then such a person is

exempted from fasting, and it is Waajib upon him to give Fidya in lieu of every fast, in other words he should feed a Miskeen (needy person) a full stomach of food for two meals, or he should give the amount of Sadaqa e Fitr in compensation of each fast, to a Miskeen. [Durr-e-Mukhtar, vol.2, pg.163/164]

LAW 22: If such an old person (i.e. the Shaykh Al Faani) is not able to keep fast in the summer months due to the hot weather, but he is able to fast in the winter months, then he is permitted not to fast now, but for him to keep the (Qaza) fasts for this (the missed fasts) in the winter months is Fard upon him. [Raddul Muhtar, vol.2, pg.136]

LAW 23: If after giving the Fidya, he regains enough strength to be able to fast, then the Fidya will count as Nafil Sadaqa, (and) He should (now) keep the Qaza for those fasts. [Alamgiri, vol.1, pg.207]

LAW 24: He has the right of either giving the Fidya for all the fasts at the beginning of Ramadaan at once, or he may be give it at the end, and in this 'Tamleek' (to make someone Maalik) is not a condition, but even Ibaahat (consent) is sufficient. It is also not necessary for one to pay the amount of Fidya one has, to that number of Masakeen (i.e. it does not mean that if he has five Fidyas, he has to give it to five separate Miskeen), but one Miskeen can be given the Fidya of multiple days. [Durr-e-Mukhtar, vol.2, pg.163]

LAW 25: If one is liable for the Kaffarah of a (broken) oath[1] or for manslaughter[2], and he is unable to keep it due to old-age, then in this case there is no Fidya for this fast. If he is liable for the Fidya for breaking a fast or for Zihaar[3], then in this case if he is unable to keep the fast, he should feed sixty Miskeen. [Alamgiri, vol.1, pg.207]

LAW 26: If someone took a Man'nat (vow) that he will fast always, but if he keeps the fast continuously (as he vowed), then he will not be able to do any job, through which he may be able to earn a livelihood, then (in such a case) he is permitted to make Iftaar (i.e. not to fast) for the amount of days that are necessary. And for every fast which he misses, he should give Fidya, and if he does not even have the means to do this, then he should make Istighfar (seek repentance). [Raddul Muhtar, vol.2, pg.164]

LAW 27: If a person kept a Nafil fast with intent, then breaking it will make the Qaza necessary, and to fulfil this is Waajib. If he was under the impression that he is liable for a fast and he thus started fasting, and later he realised he is not liable for that fast, then in this case, if he immediately broke the fast, he is not liable for anything, but after knowing this, if he still did not break it, then he is now not permitted to break it. If he does break it now, the Qaza is Waajib upon him. [Durr-e-Mukhtar, vol.2, pg.164/165]

LAW 28: If one did not intentionally break a Nafil Fast, but it broke without any control, for example, if whilst fasting, a female got her menstrual cycle, then in this case the Qaza must still be kept. [Durr-e-Mukhtar, vol.2, pg.165]

LAW 29: If one kept Nafil fast on any one (or both) of the two Eids or during the Ayaam-e-Tashreeq, then for him to complete that fast is not Waajib and breaking it will also not make the Qaza Waajib.

1: The Kaffarah for a broken Oath (Qasm) is three fasts.

2: The Kaffarah for manslaughter (unintended killing) demands fasting for two months

3: The Kaffarah for Zihaar demands fasting for two months

In fact it is Waajib (in such a situation) to break that fast, and if he had taken a Man'nat to fast on any of those days, then in this case it is Waajib to fulfil the fasts, but it cannot be done on those days (as to fast on those days is forbidden). They should thus be kept on any other day. [Raddul Muhtar, vol.2, pg.165]

LAW 30: To break a Nafil fast without a valid Uzr (i.e. a justification stipulated by the Shariah) is impermissible. If the host does not partake in the meal with the guest, it will offend the guest, or if the guest does not eat, then the host will feel offended, then this is regarded as an Uzr to break the Nafil fast.

The condition is that one has conviction that he will keep the Qaza for that fast, and on condition that he breaks it before Zahwa e Kubra, and not after that. One is permitted to break it after Zawaal, if his parents are upset (that he is fasting), and this too he may break before Asar. He is not permitted to break it after Asar. [Alamgiri, vol.1, pg.208; Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.166]

LAW 31: If a person took a Qasm (oath) by saying that, if you do not break your fast, then there is Talaaq upon my wife, then in such a situation, he should let his Qasm be positive, i.e. he should break the fast, even if it is the Fast of a Qaza Fast.

LAW 32: If a person was invited (for a meal) by one of his brothers, then he is permitted to break the Nafil fast before Zahwa e Kubra. [Durr-e-Mukhtar, vol.2, pg.166]

LAW 33: A female should not keep the Nafil fast, the fast for a Man'nat, and the fast of a Qasm (Oath) without the permission of her husband, and if she has kept it, then the husband may ask her to break it. However, if she breaks it, the Qaza is Waajib upon her, but even to keep this Qaza, she needs to take the permission of her husband, unless there is separation between her and her husband. In other words, if he gave her Talaaq e Baa'in, or if he died. However, if there is no harm to the husband in her keeping fast, such as if he is on journey, or he is ill or he is in the state of Ehraam, then in these situations she is allowed to keep the Qaza without permission of her husband, even if he does not allow her to keep it (she may). However, even on these days, she cannot keep Nafil without his permission as well. To keep the fasts of Ramadaan and the Qaza of Ramadaan, she does not need to take her husband's permission, and even if he forbids her to keep them, she should still keep them. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.167]

LAW 34: With the exception of Faraa'id, even a bondswoman or a slave is not allowed to keep these without the permission of their master. If the master wishes, he may ask them to break it. They may keep the Qaza for this fast after being freed, or with the permission of the master. However, if a slave is responsible for Zihaar with any woman (i.e. when the husband compares his wife with a woman within his prohibited relationship e.g. his mother or sister), then she may keep the fasts of Kaffarah for this without the permission of the husband. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.176]

Law 35: If a servant or worker keeps a Nafil fast and will thus not be able to fulfil his/her duties, so in this case, he requires the permission of his employer, or the one who appointed him to the job; and if he is able to fulfil his duties (even whilst keeping the Nafil fast), then there is no need to seek permission. [Raddul Muhtar, vol.2, pg.176]

Law 36: A daughter does not have to take permission from her father, a mother does not need to take permission from her son, and a sister does not have to seek permission from her brother. If parents forbid the son from fasting as there is a fear of him becoming ill, he should obey the wishes of his parents. [Raddul Muhtar, vol.2, pg.167]

THE VIRTUES OF NAFIL FASTS

The Fast of Aashurah (The 10th of Muharram)

It must be noted when intending to fast on the 10th of Muharram, it is better to fast on the 9th of Muharram as well.

Hadith 1: It is in Sahihain from Ibn Ab'bas رضی اللہ تعالیٰ عنہما that Rasoolullah ﷺ personally kept the fast of Aashurah, and commanded that it should be kept.

Hadith 2: Muslim, Abu Dawud, Tirmizi and Nasa'i report from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'After the fasts of Ramadaan, the most exalted is the Fast of Aashurah, and most exalted Namaaz after the Fard Namaaz is Salaat ul Layl (i.e. Tahaj'jud).'

Hadith 3: It is in Sahihain from Ibn Ab'bas رضی اللہ تعالیٰ عنہما that, 'I did not see Nabi ﷺ seeking to fast on any day more preferable to him, than this day, (being) the day of Aashurah, or in this month, (being) the month of Ramadaan.'

Hadith 4: It is in Sahihain from Ibn Ab'bas رضی اللہ تعالیٰ عنہما that when Rasoolullah ﷺ arrived in Madina, he saw the Jews fasting on the day of Aashurah. He asked, 'What day is this, on which you are fasting?' They said, 'It is a blessed day, for it is the day on which Allah saved Hazrat Musa علیہ السلام and his people, and He (Allah) drowned Fir'awn and his people. Therefore, Musa علیہ السلام fasted on this day as a mark of gratitude, so we too fast on this day.' Rasoolullah ﷺ said, 'We have a greater right to act according to Musa علیہ السلام compared to you, and we are closer (to him),' so Rasoolullah ﷺ fasted on that day, and He ﷺ commanded the Muslims to fast as well.

HADITH 5: It is in Sahih Muslim from Abu Qatadah ﷺ that Rasoolullah ﷺ said, 'I have faith from Allah that the fasts of Aashurah will wipe out the sins of the preceding year.'

THE FAST OF ARAFAH (THE 9TH OF ZIL HIJJAH)

HADITH 6-10: It is reported in Sahih Muslim, Sunan Abu Dawud, Tirmizi, Nasa'i and Ibn Majah from Abu Qatadah ﷺ that Rasoolullah ﷺ said, 'I sense that the fast of Arafah will wipe out the sins of the preceding year, and the following year.'

Similar narrations are reported from Sahl bin Sa'ad, Abu Sa'eed Al Khudri, Abdullah ibn Umar and Zaid bin Arqam رضی اللہ تعالیٰ عنہم.

HADITH 11: Baihaqi and Tabrani report from Ummul Mo'mineen Siddiqa رضی اللہ تعالیٰ عنہا that Rasoolullah ﷺ used to say that the fast of the Day of Arafah is equal to thousands.

This ruling excludes those who are performing Hajj and are on the plains of Arafat. For them to fast on the Day of Arafah is Makruh, because it is reported by Abu Dawud, Nasa'i and Ibn Khuzaimah from Abu Hurairah ﷺ that Rasoolullah ﷺ forbade us from fasting on the Day of Arafah, whilst on the plains of Arafat.

THE SIX FASTS OF SHAWWAL

The six fasts of Shawwal are those which people also refer to as 'The Six Fasts after Eid.'

HADITH 12 & 13: Muslim, Abu Dawud, Tirmizi, Nasa'i, Ibn Majah and Tabrani have reported from Abu Ayub ﷺ that Rasoolullah ﷺ said, 'The one who kept the fasts of Ramadaan and then fasted the six days

of Shawwal thereafter, it is as if he has kept fast always (i.e. throughout the year).'

A similar narration is reported from Abu Hurairah ﷺ.

HADITH 14 & 15: Nasa'i, Ibn Majah, Ibn Khuzaimah and Ibn Hib'ban have reported from Thaubaan ﷺ and Imam Ahmed, Tabrani and Baz'zaz have reported from Jaabir ﷺ that Rasoolullah ﷺ said, 'The one who kept the six fasts after Eid ul Fitr, has kept the fast for the entire year; and the one who does one virtuous deed will receive (the reward of) ten virtuous deeds, so the fasts of Ramadaan are equal to that of ten months, and the fasts of those six days are equal to two months, so in this way it is (like) fasting for the entire year.'

HADITH 16: It is reported in Tabrani Awsat from Abdullah ibn Umar رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'The one who kept the fasts of Ramadaan, and then after it kept the six fasts of Shawwal, has become cleansed from sins, as if he was born from his mother's womb today.'

THE FASTS OF SHA'BAAN AND THE VIRTUES OF THE 15TH OF SHA'BAAN

HADITH 17: Tabrani and Ibn Hib'ban report from Muadh bin Jabl ﷺ that Rasoolullah ﷺ said, 'On the 15th of Sha'baan Allah Manifests His Tajal'li (Divine Blessings) towards the entire creation, and He forgives all, except the unbelievers and those who harbour enmity.'

HADITH 18/19: Baihaqi reported from Ummul Mo'mineen Siddiqa رضی اللہ تعالی عنہا that Rasoolullah ﷺ said, 'Jibra'eel ﷺ visited Me and said, 'This is the 15th of Sha'baan. In it Almighty Allah frees from Hell, as much as the hair on the backs of the goats of the Bani Kalb, except for an unbeliever, and He (Allah) does not direct His Divine Sight of Mercy

upon those who harbour enmity, and upon those who severe family ties, and upon those who drag their clothes (with pride), and upon those who disobey their parents, and upon those who are habitual alcoholics.''

The narration which is mentioned by Imam Ahmed from Ibn Umar رضی اللہ تعالیٰ عنہما also mentions a murderer.

HADITH 20: Baihaqi reported from Ummul Mo'mineen Siddiqa رضی اللہ تعالیٰ عنہا that Rasoolullah ﷺ said, 'Almighty Allah Manifests His Tajal'li on the eve of the 15th of Sha'baan. He forgives those who seek forgiveness, and He showers His Mercy upon those who seek His Mercy, and He leaves those who harbour enmity, in their (pathetic) condition.'

HADITH 21: Ibn Majah reports from Ali کرم اللہ وجہہ الکریم that Nabi Kareem ﷺ said, 'When the eve of the 15th of Sha'baan arrives, remain standing (i.e. remain awake in Ibaadat) on this night, and fast in the day, for Allah Manifests His Special Tajal'li on the sky of the earth from sunset, and He says, 'Is there anyone who seeks forgiveness, so that I may forgive him! Is there anyone who seeks sustenance, so that I may bless him with sustenance! Is there someone in calamity, so that I may grant him relief! Is there anyone in such and such a condition, and He announces this until the break of Fajr.''

HADITH 22: Ummul Mo'mineen Siddiqa رضی اللہ تعالیٰ عنہا says, 'I did not see Rasoolullah ﷺ keep as many fast in any other month, compared to what He ﷺ kept in Sha'baan.'

Ay'yaam e Baydh, The 3 Special fasts of every month (The Days of Whiteness, i.e. Radiance)

In every month there are 3 special fasts, known as Ay'yaam e Baydh. These are on the 13th, 14th, 15th of the Islamic Calendar (i.e. the lunar month).

Hadith 23 & 24: Bukhari, Muslim and Nasa'i report from Abu Hurairah ﷺ and Muslim reports from Abu Dardah ﷺ that Rasoolullah ﷺ advised me with regards to three things. From amongst them, one being that I should keep three fasts every month.

Hadith 25 & 26: It is in Sahih Bukhari and Muslim from Abdullah ibn Amr ibn A'as رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'There are three fasts in every month which are like fasting always.'

A similar narration is from Qur'rah bin Ay'yas ﷺ

Hadith 27& 28: Imam Ahmed, Ibn Hib'ban, Ibn Ab'bas and Baz'zaar report from Maula Ali ﷺ that Rasoolullah ﷺ said, 'The fasts of Ramadaan and the three fasts every month remove the weaknesses of the chest.'

Hadith 29: Tabrani reports from Maymuna bin Sa'ad رضی اللہ تعالی عنہا that Rasoolullah ﷺ said, 'Whosoever is able to, should keep three fasts every month, for every fast wipes out ten sins, and cleanses one from sins, just as water cleans clothing.'

Hadith 30: Imam Ahmed, Tirmizi, Nasa'i and Ibn Majah report from Abu Zarr ﷺ that Rasoolullah ﷺ said, 'If you intend to keep three fasts in a month, then keep it on the 13th, 14th, and 15th (of the month).'

HADITH 31: Nasa'i reports from Ummul Mo'mineen Hafsah رضی اللہ تعالیٰ عنہا that Rasoolullah ﷺ never left four things:

1. The Fast of Aashurah

2. Fasting during the ten days of Zul-Hijjah

3. The three fasts in every month

4. The two Raka'ats before Fajr

HADITH 32: Nasa'i reported from Ibn Ab'bas رضی اللہ تعالیٰ عنہما that Rasoolullah ﷺ would never remain without fasting during Ay'yaam e Baydh, either on a journey or when at home.

FASTING ON MONDAYS AND THURSDAYS

HADITH 33-35: It is in Sunan Tirmizi from Abu Hurairah رضی اللہ عنہ that Rasoolullah ﷺ said, 'Our deeds are presented on a Monday and Thursday, and I prefer that I should be fasting when my deeds are being presented.'

Similar narrations are reported from Usama bin Zaid رضی اللہ عنہ and Jaabir رضی اللہ عنہ.

HADITH 36: Ibn Majah reports from him as well (i.e. Abu Hurairah رضی اللہ عنہ) that Rasoolullah ﷺ used to keep fast on a Monday and Thursday. When He ﷺ was asked about this, He ﷺ said, 'On these two days Almighty Allah forgives every Muslim, except for those two people who have separated from each other. Concerning them, it is said to the Angels, 'Let them be, until such time that they have resolved their issues (with one another).''

HADITH 37: It is in Tirmizi Shareef from Ummul Mo'mineen Siddiqa رضی اللہ تعالی عنہا that Rasoolullah ﷺ would pay particular attention to the Monday and Thursday and keep fast in them.

HADITH 38: It is in Sahih Muslim Shareef from Abu Qatadah رضی اللہ عنہ that Rasoolullah ﷺ was asked about his reason for fasting on a Monday, so He ﷺ said, 'It is the day on which I was born, and it is the day on which Revelation (Wahi) descended upon me.'

FASTS OF SOME OTHER DAYS

HADITH 39: It is reported from Abu Ya'la and Ibn Ab'bas رضی اللہ تعالی عنہما that Rasoolullah ﷺ said, 'For the one who fasts on a Wednesday, salvation from Jahannam will be recorded for him.'

HADITH 40-42: It is reported in Tabrani Awsat from them as well, that Rasoolullah ﷺ said, 'For the one who fasts on a Wednesday, Thursday and Friday, Almighty Allah will erect for him a Mansion in Jannat, the outside of which can be seen from inside, and the inside of which can be seen from the outside.'

It is mentioned in the narration of Anas رضی اللہ عنہ that, Allah will erect for him a Mansion of pearls, emeralds and topaz, and salvation from Hell will be recorded for him.

The narration of Ibn Umar رضی اللہ تعالی عنہما mentions that one who fasts on these three days, and then gives a little or a lot of charity on a Friday, then whatever sins he committed will be forgiven, and his condition will be as he was, when his mother had given birth to him. However, to fast specifically only on a Friday is Makruh.

HADITH 43: Muslim and Nasa'i report from Abu Hurairah ﷺ that Rasoolullah ﷺ said, 'From amongst the nights, do not specify the eve of a Friday to stand (in Ibaadat) and from amongst the days do not specify a Friday to keep fast.'

However, if someone was already keeping some type of fasts, and it happened to fall on a Friday, then there is no harm in this.

HADITH 44: Bukhari, Muslim, Tirmizi, Nasa'i, Ibn Majah and Ibn Khuzaimah reported from him as well, that Rasoolullah ﷺ said, 'Do not fast specifically on a Friday unless you fast a day before it, or after it.'

Ibn Khuzaimah's narration mentions that, Friday is (a day of) Eid, so do not fast on the day of Eid (i.e. on a Friday), unless you fast other fasts before or after it.

HADITH 45: It is in Sahih Bukhari and Muslim from Muhammad bin Ubaad ﷺ that Jaabir ﷺ was performing Tawaaf of the Holy Kaaba. I asked him, 'Did Nabi ﷺ disallow us from keeping fast on a Friday?' He replied, 'Yes, Qasm on the Rub of this House (i.e. the Kaaba)!'

THE FASTS OF NAZAR (MAN'NAT – VOWS)

A Shar'i Man'nat is that fast, which once a vow has been taken to observe it, fulfilling it becomes Waajib. There are certain unconditional pre-requisites for it:

1. It should be such a Man'nat, which is something that qualifies under the Waajib act. One cannot take a Man'nat (vow) to visit a sick person, or to go to the Masjid, or to go with the Janaazah, as these are invalid.

2. The Ibaadat should by itself be the objective. It should not be a means to another Ibaadat. Therefore, to take the Man'nat of performing Wudu, or Ghusl, or looking at the Mushaf is not a valid Man'nat.

3. The Man'nat should not be for that which the Shariah has already made Waajib upon him, be it in the present or in the future; for example, to take a Man'nat to pray the Zuhr of today, or to pray any Fard Namaaz is not valid, because these are already compulsory upon him.

4. The Man'nat which he has taken should be something which by itself, is not something which is sinful, and if it is sinful for some other reason, then the Man'nat is still valid. For example, to fast on the Day of Eid is forbidden, if he has taken a Man'nat to fast on Eid day, the Man'nat will be valid, even though the command is that he cannot keep it on that day, rather he will have to keep it on some other day, as this being forbidden is temporary, i.e. it is forbidden because it is the day of Eid, but fasting by itself, is actually something which is permitted.

5. It should not be the Man'nat of something which is totally impossible to fulfil. For example, if a person took a Man'nat, saying I will fast yesterday. This Man'nat is invalid (as yesterday has passed and it is totally impossible to do).

LAWS OF JURISPRUDENCE

LAW 1: For the Man'nat to be valid, it is also not necessary that the intention of it should be in the heart. If he intended to say something else and the words of Man'nat were uttered from the tongue, the Man'nat has become valid. If he intended to say, for the pleasure of Allah, I am liable to keep fast for one day, and instead of the day the word month was mentioned by him, so now it is Waajib for him to keep fast for the one month. [Raddul Muhtar, vol.1, pg.170]

LAW 2: If one took a Man'nat to fast on 'Ayaam-e-Manhiya' in other words the days of Eid, Baqr Eid and on the 11th, 12th and 13th of Zul-Hijjah, and he also went ahead and kept the fasts on these days, then even though it was sinful to do so, but the Man'nat will still be regarded as being discharged. [Durr-e-Mukhtar, vol.2, pg.170]

LAW 3: If one made a Man'nat to observe fasts for this year, then in this case he may keep fast for the entire year, excluding the 'Ayaam-e-Manhiya', and he may keep these fasts on any other days except these days. If he also kept the fasts on the 'Ayaam-e-Manhiya' the Man'nat has been discharged, but he is sinful. This rule is if he intended the Man'nat before the 'Ayaam-e-Manhiya', and if he intended it after the 'Ayaam-e-Manhiya.' In other words, if he intended the fasts of this year, on the eve of the 14th of Zul-Hijjah, then the Man'nat will be discharged by fasting until the end of Zil- Hijjah, because this (current) year ends at the end of Zil Hijjah. If he intended before

Ramadaan the fasts of this year, then he is not liable to keep the fasts which are in place of the fasts of Ramadaan (i.e. they are included). If he took a Man'nat to keep fasts one after the other (continuously), then even in this case he cannot fast on the forbidden days. He should not fast on those days, but he should keep the Qaza of those fasts afterwards, one after the other. If he remains even one day without fasting, then all the fasts which he kept before that day, will have to be repeated. If he intended a Man'nat to fast for the entire year, then after keeping fast for an entire year, he should still keep a further thirty-five or twenty-four fasts; in other words, in place of the month of Ramadaan, and for the five days of 'Ayaam-e-Manhiya,' even though he may have kept fast on these days, because in this situation they are not sufficient. However, if he said, I will keep the fast of one year continuously, then now there is no need for him to keep the fasts of those thirty days, but in this case if they are not kept one after the other (without a break except for the forbidden days), then he will have to start all over again. However, he should not fast on the forbidden days, but after the year ends, he should keep five fasts continuously (i.e. one after the other). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.170]

LAW 4: In the words of Man'nat, the conjecture of Yameen (i.e. a Qasm) is also present, thus here there are six cases:

1. If one did not make any Niyyat with those words, neither that of Man'nat nor that of Yameen (Oath).

2. If he only made the Niyyat of Man'nat. In other words, He did not intend it being Yameen or not.

3. If he made the Niyyat of Man'nat and stipulated that it is not Yameen.

4. If he made the Niyyat of Yameen and stipulated that it is not Man'nat.

5. If he made the Niyyat of both Man'nat and Yameen.

6. If he only made the Niyyat of Yameen, and he did not make Niyyat of it either being or not being a Man'nat.

In the first three cases, it is only counted as being Man'nat, so if he does not fulfil it, he must keep the Qaza for it. In the fourth case, it is counted as Yameen (an Oath), and if he does not complete it, he will have to give Kaffarah. In the fifth and sixth cases, it is both Man'nat and Yameen. If he does not fulfil it, he must perform the Qaza for the Man'nat and discharge the Kaffarah for the Yameen. [Tanweer ul Absaar, vol.6, pg.171]

LAW 5: If he made a Man'nat to keep the fasts of this month, and the Ayaam-e-Manhiya fall within this month, he should not fast on those days, but he should keep the fasts in place of them afterwards, and if he already kept them (on the forbidden days), he is sinful, but the Man'nat has been discharged. In this case, it is not Waajib to keep fasts for the entire month, but he will keep the amount of fasts depending on the amount of days which are remaining in the month, from the day when he made the Man'nat, as it is Waajib upon him only on those days. If that month was the month of Ramadaan, then the Man'nat is not valid at all, because the fasts of Ramadaan are by themselves Fard. However, if he took a Man'nat of fasting in the month of Ramadaan and he passed away before Ramadaan, then it is also Waajib to make a

Wasiyat of feeding the needy (Miskeen) for one month. If one made a Man'nat to fast in a specific month, such as in Rajab or Sha'baan, then in this case it is necessary to fast for that entire month. If that month is 29 days, he should fast 29 days and if it has 30 days, he should fast 30 days; and he should not miss any fast. However, if he does miss a fast, then he should keep it afterwards, as in this case there is no need to repeat all the other fasts. [Raddul Muhtar, vol.2, pg.170]

LAW 6: If one made the Man'nat of fasting for one month, it is Waajib for him to keep the fast for a full 30 days, even though the month in which he kept it was a month with 29 days. It is also necessary that he should not keep any fasts on the Ayaam-e-Manhiya, because in this case if he keeps those fasts during the Ayaam-e-Manhiya, then he is already sinful for doing so, and those fasts are also not sufficient. Also, if he included the condition of fasting one after the other, or if he made this Niyyat in his heart, then it is necessary that he should not miss any. If he missed any fasts, even though it may be in the Ayaam-e-Manhiya, then from now, he must keep the fast of one month without any interruption. In other words, it is necessary that within those thirty days, there should not be such a day in which fasting is forbidden. If he did not specify the condition of keeping it one after the other (without interruption), and neither is it in the Niyyat, then in this case keeping thirty fasts separately will also allow the Man'nat to be discharged. If a female made a Man'nat to fast for an entire month, one after the other (uninterrupted), then if she gets a full month or more in the state of Tahaarat (i.e. purification without having Haidh), then it is necessary for her to start in such a time, so that the thirty days end before her Haidh commences; otherwise, she will have to keep thirty after the Haidh has ended, and if she gets Haidh before the month ends completely, then in this case she should keep as many fasts as she can before, and then after the Haidh she

should continue the remaining fasts one after the other without missing any. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.172]

Law 7: If one made a Man'nat to fast one after the other (uninterrupted), then to miss any is impermissible, and if one separately made Niyyat of keeping ten fasts, then to keep them all, one after the other is also permissible. [Bahr, Shaami, vol.2, pg.176]

Law 8: Man'nat is of two types, one is Mu'allaq (pending) where one says that if such and such of my issues is resolved, or if such and such person returns from his journey, then I am liable for this much Fasts, or Namaaz, or Sadaqa etc. for Allah.

The other type is Ghayr Mu'allaq, which is not dependent on whether something happens of not, in other words, he says, I am making compulsory upon myself this many fasts, or Namaaz, or Sadaqa etc. for the pleasure of Allah. In Ghayr Mu'allaq, even though one may specify a time or place, but there is no ruling stating that it cannot be fulfilled before this time frame, or differently, because even if he kept the fasts or performed those Namaaz etc. before the time, it will still be counted as being discharged. [Durr-e-Mukhtar, vol.2, pg.172/173]

Law 9: If one took Man'nat to fast for this Rajab, and he kept the fasts in Jamadil Aakhir and it was a month of twenty-nine days, then if Rajab also is a month with twenty-nine days, it will be counted as being discharged, and there is no need to keep one more fast. If it (Rajab) becomes a thirty day month, then he must keep one more fast. [Raddul Muhtar, vol.2, pg.173]

LAW 10: If he made Niyyat to keep fast this Rajab, and he fell ill in Rajab, then he should keep the Qaza during some other days, and when keeping this Qaza he has the choice of fasting continuously or fasting with a gap in-between them. [Durr-e-Mukhtar, vol.2, pg.174]

LAW 11: In Mu'allaq, one cannot keep the fasts before the condition is fulfilled. If one kept the fasts before, and the condition was met later, then those fasts must be repeated. The initial fasts will not be counted as its equal. [Durr-e-Mukhtar, vol.2, pg.173]

LAW 12: If one made Niyyat to fast for one day, then he has the choice of keeping it on any day except for the Ayaam-e-Manhiya. The same applies if he made intention to fast for two days or three days. However, if he made Niyyat to keep them one after the other, then to keep them one after the other is Waajib, otherwise he has the choice to keep them all together or with a gap in-between. If he intended to keep them with a gap and he kept all together, it is still permissible. [Alamgiri, vol.1, pg.209]

LAW 13: If one made Niyyat of keeping ten fasts all at once, and he kept fifteen fasts and in-between somewhere he missed one fast, and he cannot remember on which day he did not fast, then he should keep five more fasts uninterrupted again. [Alamgiri, vol.1, pg.209]

LAW 14: If a sick person took a Man'nat of keeping fasts for one month, and he did not regain good health, and he passed away, then he is not liable for anything, but if he became well for even one day, and he did not fast, then it is Waajib to make Wasiyat for Fidya for an entire month. If he kept fast on that one day, then still there must be a Wasiyat for the other days. Similarly, if a fit person took a Man'nat and he passed away before the month finished, it is also Waajib on him

to make Wasiyat for this, and if he took a Man'nat at night and he passed away in the same night, then too Wasiyat should be made. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.173]

LAW 15: If one took a Man'nat saying, it is Waajib upon me to keep fast for Allah, on the day on which such and such person returns. In this case, if the person returns before Zahwa e Kubra, and he has not eaten or drank anything, he should fast, and if the persons returns at night, then there is nothing. Similarly, if he returned after Zawaal or after he had already eaten something, or the one who took the Man'nat was a female and on that day she got her Haidh, then in all these cases there is nothing. However, if he said, 'It is Waajib upon me to fast always for the pleasure of Allah, on the day on which such and such person returns,' and if the person returned after he had eaten, then he is not liable for the fast of that day, but the fast of that day on all the weeks which follow have become Waajib on him. For example, if the person returned on a Monday, then he must fast on every Monday. [Alamgiri, vol.2, pg.208]

LAW 16: If one took this Man'nat that the fast of the day on which such and such person returns will be upon me always, and he took a second Man'nat in which he said, the fast of the day on which such and such person gets cured, is upon me for always. Then, if co-incidentally, the day on which he came, is the same day on which he became well, then in this case, he will only keep the fast of that one day every week. This is Waajib upon him. [Alamgiri, vol.1, pg.209]

LAW 17: If one took a Man'nat to fast for half the day, then this Man'nat is not proper (i.e. invalid). [Alamgiri, vol.1, pg.209]

Chapter 6

I'tekaaf

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VIRTUES OF I'TEKAAF IN THE LIGHT OF QUR'AN

Almighty Allah says,

وَلَا تُبَٰشِرُوهُنَّ وَأَنتُمْ عَٰكِفُونَ فِي الْمَسَٰجِدِ

'And do not be intimate with (your) wives when you are performing I'tekaaf in the Masjid' [Surah Al Baqarah (2), Verse 187]

VIRTUES OF I'TEKAAF IN THE LIGHT OF HADITH

HADITH 1: It is mentioned in Sahihain from Ummul Mo'mineen A'isha Siddiqa رضی اللہ تعالیٰ عنہا that Rasoolullah ﷺ performed I'tekaaf during the last ten nights of Ramadaan.

HADITH 2: Abu Dawud reports from her (A'isha رضی اللہ تعالیٰ عنہا). She says, 'It is Sunnat (i.e. proven from Hadith) upon the Mu'takif (one performing I'tekaaf) that neither should he go out to visit the sick, and nor should he present himself in a Janaazah. He should also not touch a female, and nor should he be intimate with her. He should not go out for any need, except for that need which is necessary, and there is no I'tekaaf without fasting, and the I'tekaaf should be performed in a Masjid in which Jama'at takes place.'

HADITH 3: Ibn Majah reports from Ibn Ab'bas رضی اللہ تعالی عنہما that Rasoolullah ﷺ said concerning a Mu'takif; he abstains from sins and he acquires such great reward from his virtuous deeds, as if he has performed all the virtuous deeds.

HADITH 4: Baihaqi reported from Imam Husain رضی اللہ عنہ that Rasoolullah ﷺ said, 'For the one who has performed I'tekaaf for ten days in Ramadaan, it is as if he has performed two Hajj and two Umrah.'

LAWS OF JURISPRUDENCE

LAW 1: To remain in the Masjid with the Niyyah (intention) of doing so for the sake of Allah, is called I'tekaaf, and the conditions for this are; to be a Muslim, to be of sane mind (Aaqil), and to be pure from (impurity of) Janaabat, Haidh and Nifaas. To be Baaligh (i.e. to have reached the age of puberty) is not a condition, and if a Na-Baaligh who has a sense of understanding and respect, stays in the Masjid with the intention of I'tekaaf, then this I'tekaaf is proper. To be a freeman is also not a condition, so a bondsman (slave) may also perform I'tekaaf, but he has to solicit the permission of his 'Mawla' (i.e. his master), and he (the master) has the right of refusing permission. [Alamgiri, Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.176/177]

LAW 2: It is not a condition or pre-requisite of I'tekaaf for the Masjid to be a Masjid-e-Jaame' as it can also be performed in a Masjid-e-Jama'at. A Masjid-e-Jama'at is that Masjid in which an Imam and Muaz'zin have been appointed, even though five daily prayers do not take place there with Jama'at, and (I'tekaaf) in it is easier. (In actual Fact) I'tekaaf is absolutely proper in every Masjid, even if it is not a Masjid-e-Jama'at, especially in this era, where there are many such

Masjids in which there is neither an Imam nor a Muaz'zin. [Raddul Muhtar, vol.2, pg.176]

LAW 3: The greatest merit is to perform I'tekaaf in the Masjid-e-Haraam (Makkah), and thereafter the greatest virtue is in performing it in the Masjid-un-Nabawi على صاحبها الصلوٰة والتسليم and thereafter the greatest virtue is in performing it in Masjid-e-Aqsa, and after this, wherever there is the biggest Jama'at. [Shaami, Vol.2, Pg.176]

LAW 4: It is Makruh (disapproved) for a female to perform I'tekaaf in a Masjid, but she should rather perform I'tekaaf in her home. She should perform it in the area which she has set aside for performing her (daily) Namaaz, which is known as the 'Masjid-e-Bayt.' It is also Mustahab for a female to set aside a place in the house where she performs her Namaaz. This area should be kept pure and clean, and it is advisable to have that area (slightly) raised, like a platform etc. Men should also set aside a place in the house to perform their Nawafil, as it is Afdal (more meritorious) to perform the Nafil Namaaz at home. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.176]

LAW 5: If a female has not set aside a specific area for her Namaaz, then she cannot perform I'tekaaf at home. However, at that time, in other words when she intended to perform I'tekaaf if she specifically set aside an area for Namaaz, then she may perform I'tekaaf in that place. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.176]

LAW 6: A Khunsa (a person with reproductive organs of both sexes) cannot perform I'tekaaf in a Masjid-e-Bayt. [Durr-e-Mukhtar, vol.2, pg.176]

Law 7: I'tekaaf is of three types:

1. Waajib

This is when one has taken a 'Man'nat' (Vow) to perform I'tekaaf. In other words, he uttered it with the tongue. Merely intending this in the heart will not make it Waajib.

2. Sunnat-e-Mu'akkadah

This refers to the I'tekaaf for the full last ten days of Ramadaan. This is to remain in the Masjid with the Niyyat of I'tekaaf at the time of the setting of the sun on the 20th of Ramadaan, and to exit the Masjid on the 30th after sunset, or on the 29th after the moon has been sighted. If one makes the Niyyat (intention) of I'tekaaf on the 20th after Maghrib, then the Sunnat-e-Mu'akkadah has not been fulfilled. This I'tekaaf is Sunnat-e-Kifaayah, meaning that if omitted by all, then all (the entire community) will be held accountable, and if even one person performed it in the town, then all have been cleared of this responsibility.

3. All Other Types

With the exception of these, any other I'tekaaf is regarded as being Mustahab and Sunnat-e-Ghayr Mu'akkadah. [Durr-e-Mukhtar, vol.2, pg.177; Alamgiri, vol.1, pg.211]

Law 8: Neither is fasting, nor any specific time frame a condition to perform the Mustahab I'tekaaf. From the moment one makes Niyyat of I'tekaaf in the Masjid, and for as long as one is inside the Masjid, one will be counted as being a Mu'takif. When he exits, the I'tekaaf will be terminated. [Alamgiri, vol.1, pg.213] This is reward that one attains

without any effort, whereby one receives the reward (Sawaab) of I'tekaaf by simply making Niyyat of I'tekaaf, so we should try not to lose this (reward). It is advisable to write on the door of the Masjid, 'Make the Niyyat of I'tekaaf and you will attain the reward of I'tekaaf,' so that those who are unaware of this may become aware, and it may serve as a reminder for those who already know about it.

LAW 9: For Sunnat I'tekaaf, i.e. that which is performed during the last ten dates of Ramadaan (to be proper), fasting is a condition (pre-requisite). Therefore, if an ill person or Musafir performed I'tekaaf, but was not fasting, then the Sunnat (I'tekaaf) has not been fulfilled, and it will be regarded as Nafil. [Raddul Muhtar, vol.2, pg.178]

LAW 10: Fasting is also a pre-requisite in the I'tekaaf of Man'nat. Even if a person made the intention of I'tekaaf (of Man'nat) for a month and stipulated that he will not fast, then even in this case it is Waajib for him to fast, and if he made Niyyat of I'tekaaf (only) at night, then this Man'nat is not proper (i.e. it is invalid) as there can be no fasting at night. However, if he said, there is I'tekaaf upon me for one day and night, then this is valid. If he says, 'I make I'tekaaf for today,' and he has already eaten, then the Man'nat is not valid. [Durr-e-Mukhtar, vol.2, pg.177/178; Alamgiri, vol.1, pg.211]

Similarly, if he made the intention after the Zahwa-e-Kubra and he was not fasting, then this Man'nat is invalid, because he cannot make the Niyyat of Fasting now, and even if he is able to make the Niyyat of Fasting. For example, before Zahwa e Kubra, then even in this situation the Man'nat is invalid, because it will be Nafil Fast, and in this type of I'tekaaf, the Waajib Fast is required.

LAW 11: It is not necessary that the fast should be specifically kept for the I'tekaaf, but it is necessary to be fasting, even if it is not with the Niyyat of I'tekaaf. For example, if a person made Niyyat for the I'tekaaf of Ramadaan, then the Fasts of Ramadaan are sufficient for that I'tekaaf to be valid, and if he keeps the fast of Ramadaan but does not perform this I'tekaaf (which he intended), then in this case he should fast for one month and perform I'tekaaf with it. If he does not do this, in other words, if he kept fast but did not perform I'tekaaf (as he intended), and the next Ramadaan has come, then the Fasts of the second Ramadaan are not sufficient for this I'tekaaf (which he had initially intended). Similarly, if he kept fast for some other Waajib reason, then this I'tekaaf will also be invalid with these fasts, and it is now necessary for him to fast specifically for that I'tekaaf (which he intended). In the case, where he intended to perform I'tekaaf (for the entire Ramadaan as per Man'nat) and he neither kept fast, nor did he perform the I'tekaaf, and afterwards if he is keeping the Qaza of those fasts, then with these fasts, he may also perform the I'tekaaf of Man'nat. [Alamgiri, vol.1, pg.211; Durr-e-Mukhtar, Raddul Muhtar, vol.2]

LAW 12: If he had kept Nafil Fast and he then intended I'tekaaf for that day, then this Man'nat is invalid, because Nafil Fast is not sufficient for Waajib I'tekaaf, and this Fast cannot be regarded as Waajib. [Alamgiri, vol.1, pg.211]

LAW 13: If he made Niyyat of I'tekaaf for one month (and did not specify Ramadaan), he cannot fulfil this in Ramadaan, but he will have to fast specifically for that I'tekaaf. [Alamgiri, vol.1, pg.211]

LAW 14: If a female took a Man'nat to perform I'tekaaf, the husband has the right to stop her. In this case she will only fulfil it if the Baa'in (Talaaq) becomes applicable to her or after the death of her husband. Similarly, a handmaid can be stopped from his by her master. She will fulfil it only after she has been freed. [Alamgiri, vol.1, pg.211]

LAW 15: If the husband permitted the wife to perform I'tekaaf, and he now wishes to stop her from it, then in this case he cannot stop her. Also, if a master permitted his handmaid to perform it and then he stops her, then he is not at liberty to now stop her (after permitting her initially). If he stops her, he will be sinful. [Alamgiri, vol.1, pg.211]

LAW 16: If the husband permitted the wife to perform I'tekaaf for one month and if the wife wishes to perform I'tekaaf continuously for the entire month, then the husband has the right to command her to perform it a little at a time until the (I'tekaaf) of one month is fulfilled. However, if, he permitted her to do so in a specific month, then in this case he now has no choice (in this matter). [Alamgiri, vol.1, pg.211]

LAW 17: In the Waajib I'tekaaf, it is Haraam (forbidden) for the Mu'takif to leave the Masjid without any valid reason. If he leaves, the I'tekaaf will be invalidated, even though he does so forgetfully. Similarly, the Sunnat I'tekaaf will also be invalidated if he leaves (the Masjid) without a valid (Shar'i) reason. Likewise, if a female performed the Waajib I'tekaaf or Masnun I'tekaaf in the Masjid-e-Bayt, she is not permitted to leave there without a valid reason. If she comes out of there, even though she may be in the (same) house, the I'tekaaf is invalidated. [Alamgiri, vol.1, pg.212; Raddul Muhtar, vol.2, pg.180]

LAW 18: There are two reasons for which a Mu'takif may leave the Masjid;

1. Haajat-e-Tab'i

In other words, that which cannot be fulfilled in the Masjid, such as if he needs to pass urine or stool, cleanse impurities, or perform Wudu or Ghusl. The condition with regards to Ghusl and Wudu is that he should not be able to accomplish this in the Masjid. In other words, if there is no such thing in the Masjid wherein he can gather the water of the Wudu or Ghusl, so that not even a single drop of water falls in the Masjid, as it is impermissible to drop the water of Wudu or Ghusl in the Masjid. However, if there is a basin (or trough etc.) available (in the Masjid) and he is able to perform Wudu in it, in such a manner that a single drop does not spill into the Masjid, then in this case it is impermissible for him to leave the Masjid. If he leaves, the I'tekaaf will be invalidated. Similarly, if there is a place made in the Masjid for Wudu or Ghusl, or if there is a Haudh (pond) present there, he will now not be permitted to leave the Masjid.

2. Haajat-e-Shar'i

In other words, to go out for Eid or Jummah, or to go onto the Minaret to call out the Azaan, in the case when the access to the Minaret is outside. If the access to the Minaret is inside the Masjid, then even a non-Muaz'zin is permitted to go onto the Minaret, and this is not only specific to the Muaz'zin (i.e. if the access to the Minaret is inside the Masjid). [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.181]

Law 19: If he (the Mu'takif) went to answer the call of nature, he should return immediately after performing ablution. He is not permitted to wait. If the home of the Mu'takif is far away from the Masjid, and the home of his friend is near the Masjid, it is not necessary that he should go to answer the call of nature at the home

of his friend, but he may also go to his own home. If he has two homes, and one is nearby and one is far away, then he should go to the one which is closer, because some Masha'ikh have mentioned that if he goes to the one which is further away, then the I'tekaaf will be void. [Raddul Muhtar, vol.2, pg.180; Alamgiri, vol.1, pg. 212]

LAW 20: If Jummah (Namaaz) takes place at a nearby Masjid, then he should go there after the sun descends, at such a time in which he is able to perform his Sunnats before the second Azaan. If the Masjid is further away, then he may leave even before the sun starts to descend, but he should go estimating that he will reach there in time to perform his Sunnats before the second Azaan. He should not go too early, and this is based on his assumption, i.e. in the situation where he knows that when he reaches there, he will only have sufficient time to perform his Sunnats before the second Azaan. He should perform the four Raka'at of Sunnat after the Fard and then immediately return, and if he has to perform 'Zuhr Ihtiyaati' (i.e. Zuhr performed as a precautionary measure), then he should perform it after returning to the Masjid wherein he is performing his I'tekaaf. If he does not return after performing his latter Sunnats, but he remains there, or if he completes his I'tekaaf there, then even in this case his I'tekaaf will not be invalidated, but to do so is Makruh (disapproved). All these rules will only be applicable if Jummah does not take place at the Masjid in which he is performing his I'tekaaf. [Durr-e-Mukhtar, vol.2, pg.181/182]

LAW 21: If one performed I'tekaaf in a Masjid wherein Jama'at does not take place, he is permitted to leave the Masjid for Jama'at (at another Masjid). [Raddul Muhtar, vol.2, pg.182]

LAW 22: If one tied the Ehraam of Hajj or Umrah during the period of I'tekaaf, he should only go after performing his I'tekaaf, and if the time is insufficient, meaning that if he completes the I'tekaaf, then the Hajj will become void, then in this case he should go for Hajj and then thereafter he should repeat the I'tekaaf afresh. [Raddul Muhtar, vol.2, pg.182]

LAW 23: If the Masjid (in which he is performing I'tekaaf) has collapsed, or if he was removed from the Masjid forcefully, and he immediately went to another Masjid, the I'tekaaf will not be invalidated. [Alamgiri, vol.2, pg.212]

LAW 24: If one left the Masjid to save someone who is drowning or burning, or if he left to give testimony, or if he went out for Jihad when everyone was asked to come for Jihad, or if he went to visit a sick person; or to join Janaazah Namaaz, even though there is no other person to there to read the Janaazah Namaaz, then in all the above situations the I'tekaaf is invalidated. [Alamgiri, vol.2, pg.212]

LAW 25: If a female was Mu'takif in a Masjid (which is disapproved of) and she has been given Talaaq, then she should return home and complete the I'tekaaf (at home). [Alamgiri, vol.2, pg.212]

LAW 26: If when making Niyyat for I'tekaaf of Man'nat one said that he will go out to visit the sick, and for Janaazah Namaaz, or to partake in educational gatherings, then this condition is permissible. If he now leaves for these reasons, the I'tekaaf will not be invalidated. However, it is not sufficient to make this Niyyat in one's heart, but it is necessary to utter it with the tongue (i.e. audibly). [Alamgiri, vol.2, pg.212; Raddul Muhtar, vol.2, pg.184, etc.]

LAW 27: If he (the Mu'takif) goes out to pass urine or stool and he is stopped on the way by his debtor, the I'tekaaf is invalidated. [Alamgiri, vol.2, pg.212]

LAW 28: It is Haraam for a Mu'takif to perform Watee (i.e. to bed a female) or to kiss her, touch her or embrace her, i.e. for a Mu'takif all these are all Haraam. In any case, intercourse will invalidate the I'tekaaf, even if there is Inzaal (seminal discharge) or not, and even if this is done with intent or forgetfully, be it in the Masjid or outside, and be it in the day or at night. If with the exception of in intercourse, there is Inzaal in any of the other above-mentioned issues, the I'tekaaf is invalidated, otherwise not. If one has Ihtilaam (nocturnal emissions), or one had seminal discharge due to thinking of something, or by looking, then the I'tekaaf will not be invalidated. [Alamgiri, vol.2, pg.213, etc.]

LAW 29: If a Mu'takif forgetfully ate something in the day, the I'tekaaf is not invalidated. Swearing (being vulgar) and fighting does not invalidate the I'tekaaf, but it becomes void of Noor (light) and blessings.

LAW 30: A Mu'takif is permitted to perform Nikah, and if he has given his wife the Raj'i (revocable) Talaaq, he is even allowed to revoke it, but if he leaves the Masjid for any of these reasons, the I'tekaaf will be invalidated. [Alamgiri, vol.2, pg.213; Durr-e-Mukhtar, vol.2, pg.184] For him (the Mu'takif) to perform Rij'at (revoke the Talaaq) by way of intercourse or kissing etc. is Haraam, even though the Rij'at will take place.

LAW 31: If a Mu'takif ate something which is Haraam or took an intoxicant (drug) etc. at night, the I'tekaaf will not be invalidated. [Alamgiri, vol.2, pg.213] However, he is accountable for the sin of that Haraam and he must make Taubah (repent sincerely).

LAW 32: If he is overcome by unconsciousness and insanity for a lengthy period of time, which does not allow him to fast, then the I'tekaaf will be invalidated, and the Qaza for it is Waajib, and this applies even if he regains good health after many years. If he becomes demented, then after regaining health, the Qaza is Waajib upon him. [Alamgiri]

LAW 33: The Mu'takif should only eat, drink and sleep in the Masjid. If he goes out of the Masjid for these reasons, the I'tekaaf will be invalidated. [Durr-e-Mukhtar, vol.2, pg.184, etc.] When eating and drinking, it is very important to be careful not to mess the Masjid.

LAW 34: None other than a Mu'takif is permitted to eat or drink in the Masjid, and if one wishes to do any of these, he should make the Niyyat of I'tekaaf and enter the Masjid. He should then perform some Namaaz and Zikr e Ilaahi and thereafter partake in it (eating or drinking). [Raddul Muhtar, vol.2, pg.184]

LAW 35: It is permissible for a Mu'takif to buy or sell something in the Masjid to fulfil his own necessities or that of his children and family, on condition that those items are not in the Masjid. In addition, even if they are present in the Masjid, they should be so few that they do not take up space (in Masjid), and if he buys or sells with the intention of business, then this is not permissible, even though the items are not in the Masjid. [Durr-e-Mukhtar, Raddul Muhtar, vol.2, pg.184]

LAW 36: If the Mu'takif remains silent with the Niyyat of Ibaadat, in other words, if he regards remaining silent as something which will afford him Sawaab, then to do so is Makruh Tahreemi. And if he remains silent, regarding it as a means of Sawaab, then there is no harm in remaining silent, and if he remained silent to avoid partaking in evil talk, then this is not Makruh, but is in fact a very honourable act, because it is Waajib to save the tongue from evil talk. That which neither warrants sin nor Sawaab, i.e. that which is Mubah is also Makruh for the Mu'takif, because Mubah (lawful) conversations be it due to need or without need inside the Masjid, eats away your virtuous deeds just as fire eats away at wood. [Durr-e-Mukhtar, vol.2, pg. 185]

LAW 37: (The question arises that) If a Mu'takif should not remain completely silent and he should not speak as well, then what should he do? (The answer to this is that) He should recite the Qur'an e Majeed; he should read Hadith Shareef and recite Durood Shareef in abundance. He should teach and learn knowledge of Deen, and he should study the lives and ways of Nabi Kareem ﷺ and the other Ambia عليهم الصلوٰة والسلام and the narratives related to the Awliyah and Saliheen, and he should write on the issues of Deen. [Durr-e-Mukhtar, vol.2, pg.185]

LAW 38: If a person took a Man'nat to make I'tekaaf for one day, the night is not included in this. He should enter the Masjid before the time of Fajr commences, and he should return after the sun has set. If he takes a Man'nat to make I'tekaaf for two or three days or for more than that, or if he made Niyyat of I'tekaaf as Man'nat for two or three nights or more than that, then in both situations if he only takes this to mean the days or only the nights, then the Niyyat is valid. In the first situation, the Man'nat is proper and I'tekaaf is only Waajib during

the days. In this situation, he has the choice to either make the I'tekaaf of all the days continuously, or he may spread them out. In the second situation, the Man'nat is invalid (not proper), because the condition for I'tekaaf is fasting and there is no fasting at night. In addition, in both situations if both the days and night are being referred to, or if there was no Niyyat, then in both situations, the I'tekaaf of the day and night are Waajib, and to perform I'tekaaf for the said number of days without a break is necessary, and they cannot be spread out (over a period of time). Also, in this situation, it is necessary that the I'tekaaf should commence on the night which appears before that day. Thus, he should enter into the I'tekaaf before sunset, and he should only exit on the final day after sunset. If he intended the Man'nat of the day, and he says, 'I meant the night when I said day', then this Niyyat is not valid. The I'tekaaf of both the day and the night is Waajib. [Jauhira, Alamgiri, vol.2, pg.213/214; Durr-e-Mukhtar, vol.2, pg.196/197]

LAW 39: If a person took a Man'nat to perform I'tekaaf on the day of Eid, he should fulfil it on any other day on which it is permitted to keep fast. If he made Niyyat of Yameen (swearing an Oath), he should give Kaffarah, and if he fulfilled it on the day of Eid, then the Man'nat has been discharged, but he is sinful. [Alamgiri, vol.1, pg.214]

LAW 40: If a person made a Man'nat for I'tekaaf on a particular day or month, then he may discharge this even before (the said day); in other words, as long as it is not Mu'allaq (suspended). If he took Man'nat of I'tekaaf in the Masjid Shareef, he may also perform the I'tekaaf in another Masjid. [Alamgiri, vol.1, pg.214]

LAW 41: If he took a Man'nat to make I'tekaaf in the month which has already passed, then this is invalid. Allah Forbid, if a person took a Man'nat and then became an apostate (murtad), the Man'nat has fallen away, and if he becomes a Muslim again, then the Qaza for that is not Waajib. [Alamgiri, vol.1, pg.214]

LAW 42: If a person took a Man'nat to perform I'tekaaf for one month but then passed away; then in this case for every day, an amount equivalent to Sadqa e Fitr should be given to a Miskeen (deserving person). This is on condition that the Niyyat was of Man'nat, and it is Waajib upon him to discharge the Man'nat, and if he did not discharge the Man'nat, but his heirs gave Fidya on his behalf, then too it is permitted. If a sick person took a Man'nat and then died; then if he had become well even for a single day (during his illness), then for every day, the amount equivalent to Sadqa e Fitr should be given out, and if he did not recover even for a single day (during the illness), then nothing is Waajib. [Alamgiri, vol.1, pg.214]

LAW 43: If a person made took a Man'nat to perform I'tekaaf for one month, then it is his choice to make I'tekaaf in whichever month he decides to. However, it is Waajib for him to sit in I'tekaaf continuously. If he says my aim of saying one month only referred to the days and not the nights, then this will not be accepted. The I'tekaaf of both the day and the night is Waajib. If he said three days, then too the ruling is the same. However, if whilst taking the Man'nat he says that the I'tekaaf is only for the days in the one month and not for the nights, then in this case only the I'tekaaf of the days are Waajib, and now he even has the choice to perform the I'tekaaf of the thirty days over a time frame. If he says that he will make I'tekaaf for the nights of one month and not in the days, then there is nothing. [Jauhira, Durr-e-Mukhtar, vol.2, pg.187]

LAW 44: If one leaves the Nafil I'tekaaf, there is no Qaza, as this ends right there. If a person sat for the Masnun I'tekaaf, in other words, for the last ten days of Ramadaan, and he broke this, then in this case, he should only keep Qaza for the one day which he broke. It is not Waajib for him to make Qaza of the entire ten days. If he broke the Man'nat of I'tekaaf, then in this case if it was stipulated with regards to a particular month, then he should also perform Qaza for the remaining days. However, if it is Waajib to keep it continuously, then one should commence with I'tekaaf afresh, and if was not Waajib continuously (one after the other), he should complete the remaining I'tekaaf. [Raddul Muhtar, vol.2, pg.182]

LAW 45: The Qaza of I'tekaaf does not only apply if it was broken intentionally, but if one left it out due to some valid Shari' excuse. For example, if one left it out due to some illness, or if he left it because he had no other choice. For example, if a female has Haidh and Nifaas, or if a person was afflicted by unconsciousness or insanity for a lengthy period of time, then Qaza is also Waajib for this. If only few have been left out, then there is no need for Qaza for all, but the Qaza for those few left out should be performed. If all were omitted, then the Qaza of all of it must be done. In Man'nat, it is Waajib to fulfil it one after the other (altogether), so the Qaza as well must be kept one after the other (i.e. without any break). [Raddul Muhtar, vol.2, pg.186]

وَالْحَمْدُ لِلّٰهِ عَلٰى الآئِهٖ وَالصَّلٰوةُ وَالسَّلَامُ عَلٰى اَفْضَلِ اَنْبِيَاءِ وَعَلٰى وَاٰلِهٖ وَصَحْبِهٖ وَاَوْلِيَاءِهٖ۔ وَ عَلَيْنَا مَعَهُمْ يَآ اَرْحَمَ الرَّاحِمِيْنَ وَاٰخِرُ دَعْوٰنَا اَنِ الْحَمْدُ لِلّٰهِ رَبِّ الْعٰلَمِيْنَ

METHOD FOR CALCULATING NISAAB & ZAKAAT PAYABLE BASED ON SILVER, FOR WHICH THE NISAAB STIPULATION IS FIXED AT 52.5 TOLA

One Tola = 11.664 grams **52.5 Tola = 612.36 grams**

Take the current local price of silver and multiply it by 612.36 grams, to get the current standard Nisaab (Threshold for Zakaat).

Example

1. If the current silver price is R7.81 per gram
2. Take R7.81 and multiply it by 612.36 grams = R4782.00
3. Nisaab is thus 4782.00 as per the current rate
4. For example, if you have 4782.00 based on the above example, then the Zakaat payable will be 4782 x 2.5% = R119.55 (Zakaat Payable)
5. Alternatively take R4782.00 (i.e. whatever is the amount on which you need to pay Zakaat based on the rules explained in this book, and divide it by 40. This will also give you the Zakaat which is payable.

Important Note: When working out Zakaat on your gold and silver jewellery etc. The Zakaat payable is not based on current price of that jewellery, but it is based on the current price of weight of the gold or silver.

In other words, if a person has 111 grams of gold. He or she will multiply it by the current local price of gold for the said carat of gold. Thereafter he or she will calculate 2.5% of it (i.e. one fortieth) which will be the Zakaat payable.

Example

1. If the current local gold price of 24 carat gold is R534.00 per gram

2. As per the above example take 111 grams and multiply it R534.00, which equals R59, 274. This will be the current gold value for the said weight.

3. Take 2.5% of the value of that gold which is R59, 274 x 2.5% = R1481.85. So the Zakaat payable on 111 grams of gold will be R1481.85.

4. Alternatively you can divide the value by 40 and it will also give you the same amount, which in this example is R1481.85 which is the Zakaat payable on the weight of that gold.

Zakaat is currently worked out based on silver as the silver price per gram is cheaper than gold currently. If the gold became cheaper than silver, the Nisaab would be calculate based on gold prices.

Silver Nisaab is as per 52.5 Tola Silver = **612.36Grams (612)**
Gold Nisaab is as per 7.5 Tola Gold = **87.48 Grams**

I have attempted to present the above mentioned formula to make calculating Nisaab, and your Zakaat on money, gold and silver etc. easier. [Sag e Mufti e Azam Muhammad Afthab Cassim Qaadiri Razvi Noori]

STRIVE TO PROTECT YOUR IMAAN

It is the responsibility of every Muslim to strive to protect his or her Imaan, and the Imaan of those Muslims around them. The most valuable gift that Almighty Allah has bestowed upon us, is the 'Gift of Imaan'. We must all strive sincerely in the path of Allah and His Rasool ﷺ, as this is the means of protecting our Imaan. As Muslims, we need to inculcate an 'Atmosphere of Knowing' amongst ourselves.

We need to know what is acceptable in our Religion and what is not. We must educate ourselves and our children concerning the different deviant sects that have come out of Islam and are portraying themselves as Muslims, yet they intend to cause harm to the Imaan of the Muslims. These sects are wolves in sheep skin. In reality they are the thieves of Imaan. They intend to destroy the Imaan of the unsuspecting Muslims.

These corrupt non-Sunnis (deviants) try to lure the simple Muslims towards their web, by using their false claims of Namaaz, Fasting and other important practices of Islam. We need to protect ourselves and our children from these mischief mongers and deviant sects. These enemy of Islam disguised in the garb of Muslims know that by gaining closeness to Sayyiduna Rasoolullah ﷺ, a person becomes close to Allah. It is for this reason that their point of attack is the personality of Sayyiduna Rasoolullah ﷺ. These so-called 'Muslims' have tried for centuries to remove the blessed practices such as Moulood, Urs, Gyarhwee Shareef and Esaal-e-Sawaab etc from our communities.

The aim of doing this is because they know that by partaking in such practices a Muslim gains closeness to the pious servants of Allah, thus granting them closeness in the Most Majestic Court of the Creator, Allah Almighty. It must be noted that the love for the Beloved Rasool ﷺ is the soul of our Imaan.

The Mujaddid of the 14th Century, Imam e Ahle Sunnat Aala Hazrat Ash Shah Imam Ahmed Raza Khan رحمۃ اللہ علیہ states the following concerning the Beloved Rasool's ﷺ unique personality. He explained that from the Blessed Hair of His ﷺ Blessed Head, up to His ﷺ Sacred Feet, The Beloved Rasool ﷺ is the Manifestation of Allah Almighty's Magnificence. He also explains that Nabi ﷺ is such a unique human, that no other human is like him in any way. In reality, He ﷺ is such a splendid, unique and exalted human, that the Qur'an refers to him as Imaan, whereas Imaan in-turn refers to him as its soul.

We should thus strengthen our souls and hearts by increasing in ourselves the love for the Beloved Nabi ﷺ. We should inculcate in our children the love for the Beloved Nabi ﷺ, and the love for the pious servants of Allah. As Sunni Sahihul Aqida Muslims, we should protect our families and friends from the traps and vices which the hypocrites have set in our paths. We need to become true in our claim. We alL claim to love Sayyiduna Rasoolullah ﷺ, yet we befriend those who slander the Beloved Nabi ﷺ or make them partners and agents in our Deeni matters.

One who has true Imaan will never befriend any person who slanders the Nabi ﷺ, His ﷺ Companions, His ﷺ Noble Family, and all those who love respect and revere them. If one, after knowing the corrupt

beliefs of those who are trying to mislead us still befriends them and keeps contact with them, then such a person is disloyal to the Beloved Nabi ﷺ. We must remain steadfast in our Aqida.

We must openly announce and publicise the correct and proper teachings of Islam. We must be true in accepting that Allah is free from all defects and shortages. We must accept that the Beloved Rasool ﷺ has been blessed with knowledge of the unseen, He ﷺ is Noor, He ﷺ has been blessed with the authority of intercession, He ﷺ has been blessed with being Wasila (the greatest means of acceptance in the court of Allah), He ﷺ has been blessed with being the Final Messenger, He ﷺ has been blessed with being the Distributor of Kauthar, He ﷺ has been blessed with the power to assist those in need, and He ﷺ has been blessed with the power of hearing our Durood, no matter how distant we may be.

We need to remain steadfast on the path of the Ahle Sunnat Wa Jama'at, which is the true path of the Sahaba-e-Kiraam, Tabi'een, Tab'be Taabi'een, The A'ima-e-Mujtahideen and the Awliyah-e-Kaamileen. This is the way to protect our Imaan and this is the only way to achieve salvation in the hereafter. This blessed path is today known as 'Maslak e Aala Hazrat'.

Further, we should be wary of those 'leaders/scholars' who associate openly with those who support the deviants. We should never follow those who sit with those who are corrupt. We should not respect anyone due to their name and status, but we should respect someone due to their firmness in Imaan.

We must also be wary of those scholars, who think nothing of attending the venues and programs of those who support and publicise the deviants, such as wahabis, deobandis, shias and minhajis (tahiris) etc. One of most notorious fitnas of this era is the tahiri fitna of the deviant tahir minhaji, whose objective is to erase the distinction of the true believers. We should keep away from this destructive movement and all those who have even the slightest affiliation or association with it. Shame on those who call themselves leaders of Muslims, yet they ignore the command of staying away from the corrupt. They open the doors of 'contamination'. When those 'prominent scholars' who are regarded as leaders of the Ahlus Sunnah, attend venues and programs of the supporters of budmazhabs, they have been disloyal to the course of the Ahlus Sunnah. They should never forget that soon death will overtake them, and they will be answerable in the Court of Almighty Allah for misleading the innocent Sunni public.

Allah protect our Imaan and save us from the deviants, their agents, their sympathisers and those who take lightly the hazards of sitting in the company of such people. Aameen

Sag e Mufti e Azam
Muhammad Afthab Cassim Qaadiri Razvi Noori